

# REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. VII-A

DEPARTMENT DIRECTOR

COMMISSION MEETING 10-20-10

APPROVED BY

October 20, 2010

FROM:

JERRY D. BISHOP, Assistant Director

Development and Resource Management Department

THROUGH:

MIKE SANCHEZ, Planning Manager

**Development Services Division** 

BY:

BONIQUE SALINAS, Planner 55

**Development Services Division** 

SUBJECT:

CONSIDERATION OF CONDITIONAL USE PERMIT APPLICATION NO. C-10-109

AND ENVIRONMENTAL FINDING FOR ENVIRONMENTAL ASSESSMENT NO.

C-10-109

#### RECOMMENDATION

Upon consideration of staff evaluation, it can be concluded that the proposed Conditional Use Permit Application No. C-10-109 is appropriate for the project site. Therefore, staff recommends the Planning Commission take the following actions:

- ADOPT the Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact 1. Report (MEIR) No. 10130 dated July 2, 2010, which was prepared for Conditional Use Permit Application No. C-10-109
- 2. DENY the appeal and UPHOLD the action of the Development and Resource Management Department Director approving Conditional Use Permit Application No. C-10-109 subject to the following:
  - Development shall take place in accordance with Exhibits A and A-1 dated July 13, a. 2010 and Exhibits E-1, E-2, E-3, F-1, F-2, F-3 and L dated May 3, 2010.
  - Development shall take place in accordance with the Conditions of Approval dated August 25, 2010.

#### **EXECUTIVE SUMMARY**

Conditional Use Permit Application No. C-10-109, filed by Jeffrey Roberts on behalf of Bob Brown of the Fresno Rescue Mission, pertains to approximately 9.0 acres of property located on the west side of North Parkway Drive between West Clinton and West McKinley Avenues. The applicant requests authorization to rehabilitate the former Vagabond Motel and establish a secure transitional housing community that will be owned and operated by the Fresno Rescue Mission. The proposed development will consist of 62 residential units, 1 resident manager unit, 5 conference rooms, 1 medical room, 10 offices, 5 meeting rooms, 4 rooms for childcare and study, a chapel, a dining room, support activities, and playgrounds. The proposed use is classified as a Group Housing Facility as defined by Section 12-105-G-10 of the Fresno Municipal Code.

The Development and Resource Management Department Director approved this conditional use permit application on August 25, 2010. In accordance with the Special Permit Procedures of the Fresno Municipal Code, a notice of granting of the conditional use permit application was mailed to surrounding property owners and interested parties. In response to this notice, two appeals were received.

# **PROJECT INFORMATION**

PROJECT	Conditional Use Permit Application No. C-10-109 is a request for authorization to establish and operate a transitional housing facility.			
APPLICANT	Jeffrey Roberts on behalf of Bob Brown of the Fresno Rescue Mission			
LOCATION	2141 North Parkway Drive			
	Located on the west side of North Parkway Drive between West Clinton and West McKinley Avenues (APN: 442-090-06, 16, 17 and 18)			
SITE SIZE	± 9.0 acres			
LAND USE	Existing - Vacant Motel			
	Proposed - Transitional Housing Facility			
ZONING	C-6 and C-6/UGM (Heavy Commercial/Urban Growth Management)			
PLAN DESIGNATION AND CONSISTENCY	The request to establish a transitional housing facility (classified as Group Housing Facility) is consistent with the existing C-6 ( <i>Heav Commercial</i> ) zone district and the General Heavy Commercial planne land use designated for the site by of the 2025 General Plan and the Wes Area Community Plan.			
ENVIRONMENTAL FINDING	Staff has issued a finding of conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) for this project dated July 2, 2010, which incorporates a MEIR Mitigation Monitoring Checklist. The finding of conformity was published in the Fresno Bee commencing a 30-day public review and comment period that ended on August 3, 2010.			
PLAN COMMITTEE RECOMMENDATION	There is no Plan Implementation Committee in Council District 3			
STAFF RECOMMENDATION	I I a say are approved the ground approved of the Developinosit			

# **BORDERING PROPERTY INFORMATION**

	Planned Land Use	Existing Zoning	Existing Land Use
North	State Route 99 General Heavy Commercial	<b>C-6</b> Heavy Commercial	State Route 99 Motel
South	Light Industrial	C-M Commercial and Light Manufacturing	Light Industrial/Auto storage related
East	State Route 99 Light Industrial	C-M Commercial and Light Manufacturing	State Route 99 Storage Yard
West	Light Industrial	C-M Commercial and Light Manufacturing	Light Industrial

#### **ENVIRONMENTAL FINDING**

The Development and Resource Management Department staff have prepared an initial study and environmental checklist and evaluated the proposed development in accordance with the land use and environmental policies and provisions of the 2025 Fresno General Plan, the related Master Environmental Impact Report (MEIR) No. 10130 (SCH # 2001071097), and Mitigated Negative Declaration (MND) No. A-09-02 (SCH # 2009051016). The subject property has been proposed to be developed at an intensity and scale that is permitted by the General Heavy Commercial planned land use designation and the C-6/UGM (Heavy Commercial/Urban Growth Management) zone district classification for the subject site. Thus, the proposed project will not facilitate an additional intensification of uses beyond that which already exists or would be allowed by the above-noted planned land use designation. Moreover, it is not expected that the future development will adversely impact existing city service systems or the traffic circulation system that serves the subject property. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. It has been further determined that all applicable mitigation measures of MEIR No. 10130 and MND No. A-09-02 have been applied to the project necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by MEIR No. 10130 and MND No. A-09-02 as provided by CEQA Section 15177(b)(3).

Pursuant to Section 21157.1 of the California Public Resources Code (California Environmental Quality Act), it may be determined that a subsequent project, as identified in the MEIR pursuant to Section 21157(b)(2) of the Public Resources Code and CEQA Guidelines Section 15177, falls within the scope of a MEIR, provided that the project does not cause significant impacts on the environment that were not previously examined by the MEIR. Relative to the specific project proposal, the environmental impacts noted in the MEIR, pursuant to the 2025 Fresno General Plan land use designation, include impacts associated with the General Heavy Commercial planned land use designation specified for the subject property. Based on the initial study prepared, the following findings are made: (1) The proposed project was identified as a Subsequent Project in MEIR No. 10130 because its land use designation and permissible densities and intensities are set forth in Figure I-1 of MEIR No. 10130; (2) The proposed project will not generate additional significant effects not previously identified and analyzed by the MEIR or MND No. A-09-02 for the reasons discussed within the environmental assessment for the subject project; and, (3) No new additional mitigation measures are required because the proposed project will not generate additional significant effects not previously identified and analyzed by the MEIR or MND.

Therefore, the project proposal has been determined to be within the scope of the MEIR and MND as defined by Section 15177 of the CEQA Guidelines and staff has properly published a Finding of Conformity to MEIR No. 10130 dated July 2, 2010. In addition, after conducting a review of the adequacy of the MEIR pursuant to Public Resources Code Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and the MND adopted; and, that no new information, which was not know and could not have been known at the time that the MEIR was certified as complete or the MND was adopted, has become available.

# **BACKGROUND / ANALYSIS**

Conditional Use Permit Application No. C-10-109 requests authorization to rehabilitate the former Vagabond Motel and establish a secure transitional housing community that will be owned and operated by the Fresno Rescue Mission. The proposed development will consist of 62 residential units, 1 resident manager unit, 5 conference rooms, 1 medical room, 10 offices, 5 meeting rooms, 4 rooms for childcare and study, a chapel, a dining room, support activities, and playgrounds.

The proposed project consists of three primary components which are described as follows:

1. New Ministry to Women and Children: This will provide a long term residential family rehabilitation

program for up to six months. Women and children in this facility will come from a variety of sources, including working with the County of Fresno Cal-Works program, selected wives and families of men who are in the Academy Program at the Fresno Rescue Mission, and community referrals. This program will also be used for reuniting women who have lost their children and will allow for a supervised reunification process.

- 2. <u>Emergency Family Shelter</u>: This shelter will be for women with children. Emergency shelter is a 30 day or less transition intended for people who have lost their housing for a variety of reasons. The Fresno Municipal Code (FMC) defines an emergency residential shelter as a facility providing emergency lodging to a person or persons on a nightly or similar short-term basis, typically not for a fee, but not including a hotel, motel, boarding or rooming house.
- 3. <u>Samaritan Women</u>: This is a program for women who have been previously incarcerated. Many of these women will be on probation or parole. There will be a screening process and the applicant will not accept women who are on psych medication nor those who have a violent or arson history. The women in this program will come from a variety of sources including the following: pen pal correspondence with women in jail or prison, people who hear about the program in the community, Fresno County or Federal Probation, and referrals from jail and prison chaplains and social workers.

In addition, the following items are clarifications regarding the operation of the facility:

- The proposed facility is strictly a women and children's facility. There will be no men in the program.
- There will be no court appointed residents in any of the 3 programs.
- The facility will have no half-way house programs. All individuals will be required to be screened before they are accepted into the program.

#### Security

There will be one trained guard 24 hours a day. There will also be increased lighting and cameras installed on-site. The site will be fenced and the security guard will monitor people coming in and out of the facility. This is not a "locked" facility. People will be able to leave and come back to the facility.

#### Neighborhood Involvement

Given that the proposed project is opposed by some members of the community and because the Downtown and Community Revitalization Department has brought up the fact that there is a need for a mechanism for a neighborhood/community relations plan to ensure future concerns regarding the project are addressed once operations begin, the applicant has been required to establish a neighborhood/community relations plan. The following will be made a condition of project approval:

The applicant will provide for quarterly "Neighborhood Open House" meetings at the project site (during early evening hours at regularly scheduled times). These meetings will be noticed and will provide the public with an opportunity to comment on the operation of the facility, the physical condition of the site, and/or issues that may affect the entire area near the project site. Any member of the public will be welcome at any of the "Neighborhood Open House" meetings. The applicant will compile all of the information gathered at the meetings and include a written summary in the quarterly reports that will be made available to the Fresno Police Department and/or any other interested Department at the City of Fresno".

For the first three meetings, the notices will be required to be sent to residents and property owners within 1500-feet of the subject site and interested parties. After this, the notices will only be required to

be sent to property owners and residents within 500-feet of the subject site and to those who expressed interest in being involved in the meetings. The neighborhood will also be provided with a phone number of someone at the facility to call if they have any concerns.

#### LAND USE PLANS AND POLICIES

The subject site is located within the boundaries of the West Area Community Plan and the 2025 Fresno General Plan. The proposed project has been required to comply with all applicable goals and policies contained within these plans.

# **Housing Element**

Policy C-9-b of the 2025 Fresno General Plan requires the City to support and implement the city's housing element of the general plan. In the Goals, Policies, and Programs section of this plan, Transitional and Supportive Housing is described. One of the goals listed under Program Section 2.1.13 states that "the City Planning and Development Department shall....amend its zoning ordinance to identify the development of transitional and/or supportive housing as a residential use, and only subject to those restrictions that apply to other residential uses of the same type in the same zone, in compliance with state law". This shows that the City's goal is to make the entitlement process for these types of uses more similar to residential projects rather than "group housing" type projects. In doing this, the City is recognizing that these types of uses should have fewer barriers to approval to make them easier to develop.

#### **DIRECTOR'S ACTION ON CONDITIONAL USE PERMIT**

The Development and Resource Management Department Director took action on August 25, 2010 to approve Conditional Use Permit Application No. C-10-109. In accordance with Government Code Section 65091 (Planning and Zoning Law) and the Special Permit Procedure of the Fresno Municipal Code, a notice of granting of the conditional use permit application was mailed to surrounding property owners within 500-feet of the subject property (Noticing Map attached as Exhibit C) and interested parties. The Fresno Municipal Code only requires that notices be sent to property owners within 300-feet. However, given the initial neighborhood response to the proposed project, the notice of granting was sent to property owners and residents within 500-feet of the subject site. The special permit does not become effective until 15 days from the date the special permit is granted in order to allow time for any interested parties to file an appeal.

Two appeals were received during the 15-day appeal period. The first letter of appeal was submitted by Lanella Hare, a concerned resident, and the second letter of appeal was submitted by H.E.A.T. for Southwest Fresno Community, a community group. These appeal letters are attached as Exhibit D.

#### ANALYSIS OF THE APPEAL LETTERS

Below is an analysis of the issues raised in the two appeal letters:

## Appeal Letter #1 (Lanella Hare):

Issue/Concern:

The subject site is located next to a motel known for druggies, alcoholics, prostitutes and pimps. You people have brought enough poverty, crime and who knows what else into this neighborhood recently. It has to stop.

#### Response:

There is no substantial evidence in the record that the proposed project will be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. There is no evidence that transitional housing or

emergency shelters cause an increase in crime. The project has been conditioned to maximize the safety of the residents of this proposed facility. The applicant has been required to provide on-site security, cameras, lighting, shuttling, etc. to maximize the safety of the residents. The Police Department has reviewed the applicant's operational statement and addendum to the operational statement and determined that the security proposed is adequate. In addition, the addendum to operational statement submitted for this project (attached as Exhibit G) indicates that in order to be accepted into the program, potential residents will have to go through a thorough screening process.

# Appeal Letter #2 (H.E.A.T.):

<u>Issue/Concern #1</u>: How will this "transitional housing community" fit into the current plans for the area in question?

#### Response:

Staff is aware that the residents of the Jane Addams Elementary School neighborhood who attended the Downtown Neighborhoods Community Plan design charrette stated that they do not want motels used for housing. Their desire is to have motels used for travelers in a way that will revitalize the neighborhood or to have the motels removed to clear the way for neighborhood serving and/or job producing businesses. Once this plan is adopted, there may be mechanisms in place to prohibit or prevent motels from being converted to other residential uses. However, there is currently no adopted policy in place that prohibits the proposed use. The proposed use is allowed with a conditional use permit. In order to approve a conditional use permit application, findings have to be made pursuant to Section 12-405.A.2 of the Fresno Municipal Code. With the conditions of approval required of the proposed project, there is no substantial evidence in the record the mandated findings for this project cannot be made.

#### Issue/Concern #2:

It is not made clear what the purpose of the secure/gated "transitional housing community" is. Who will benefit from this "transitional housing community"? Is it for the homeless? Who will be eligible for the "emergency housing" aspect of the facility?

#### Response:

On September 21, 2010, City staff e-mailed H.E.A.T. a more detailed project description that included information pertaining to the three main components of the program (New Ministry to Women and Children, Emergency Family Shelter, and Samaritan Women). This project description described the population that will be served by the proposed transitional housing facility. Detailed information about the population that will be served by the proposed project is provided in the Background/Analysis section of this staff report.

#### Issue/Concern #3:

As a non-profit organization, the Fresno Rescue Mission would be eligible for CDBG funds as a provider of services for the homeless or other needy residents in the community. We object to the use of CDBG funds for any project in the City of Fresno until the needs of the South West Fresno community is addressed

#### Response:

The funding of the proposed facility is not part of the conditional permit review process.

#### ADDITIONAL INITIAL OPPOSITION

Although there were only two official letters of appeal submitted after the Director approved the project, there were several letters of opposition submitted prior to Director approval. The issues raised in these letters of opposition are detailed below, followed by a staff response.

1. The proposed use will put participants in an area already stressed by high crime. The Fresno Police Department reports that the area had more than 2600 calls for service within ½ mile of the proposed project during the first 6 months of 2010.

#### Response:

This is not substantial evidence that the proposed project will be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. The project has been conditioned to maximize the safety of the residents of this proposed facility. The applicant has been required to provide on-site security, cameras, lighting, shuttling, etc. to maximize the safety of the residents.

2. The Downtown and Community Revitalization Department has reviewed the City of Fresno/County of Fresno 10-Year Plan to End and Prevent Homelessness (2008) and found that the proposed use is not in keeping with the Housing First model of open housing with services wrapped around a person/family based on individual need without any requirement of sobriety. On the one hand, this proposed use states that it will be temporary; and on the one other hand it calls for supportive emergency care. We are concerned that this proposed use does not allow for open referrals under a Housing First structure. It also does not address the need for permanent supportive housing.

#### Response:

The 10-Year Plan to End and Prevent Homelessness is not an adopted land use plan and thus applications for special permits are not required to comply with goals or policies in this plan. In addition, this plan defines the Housing First model as "an approach to ending homelessness that centers on providing homeless people with housing quickly and providing services as needed". The proposed facility is consistent with the Housing First Structure because it will provide emergency homeless housing and will provide needed services to residents on-site.

This plan advocates that permanent housing must be the first and foremost issue to be addressed. Although the proposed facility is not permanent housing, it does not take away from efforts to provide permanent housing. The proposed project will provide transitional housing, a housing type that will always be needed for the homeless population even if permanent housing is available. According to this plan, one of the reasons why permanent housing is preferred over emergency shelters or transitional housing is because it is thought that the homeless are not able to access the long term services and care they need to return to mainstream society. In contrast, the proposed facility will provide a range of services to help residents receive the care they need to return to mainstream society.

3. The project is inconsistent with the expressed wishes of many of the neighborhood members as memorialized in the working papers generated during the Neighborhoods Community Plan design charrette process. In particular, in light of the hyper-concentration of homeless and transition facilities in the area, community residents have requested that the plan "distribute homeless and housing services throughout the entire City of Fresno and surrounding region".

# Response:

As mentioned above, there is currently no adopted policy in place that prohibits the proposed use. The proposed use is allowed with a conditional use permit. In order to approve a conditional use permit, findings have to be made pursuant to Section 12-405.A.2 of the Fresno Municipal Code. With the conditions of approval required of the proposed project, there is no substantial evidence in the record the mandatory findings for this project cannot be met. If all findings can be made, the proposed project cannot be denied.

4. Provide a thorough explanation of how and why the already documented impacts of facilities such as this, and the residents' expressed preferences to diversity in their area, are less compelling than claimed policy consideration making this particular project so immediately essential that it should be permitted in this location at this time.

#### Response:

There is no substantial evidence in the record of the "documented impacts" that these types of facilities will have on a neighborhood and thus there is no evidence that the project will be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located

5. The CUP finding required by Fresno Municipal Code section 12-405.A.2.c that "the proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located" will be difficult to make in this particular area if decision makers are considering the intensity of similar uses in the area and their impacts on the surrounding neighborhoods.

#### Response:

There is no substantial evidence in the record that there is a "concentration" of these types of facilities or evidence that a concentration of these facilities will be detrimental to the public welfare or injurious to property or improvements in the area.

6. Currently the neighborhood condition consists of violent crimes, shootings, drug busts, prostitution, etc. These conditions will pose dangerous situations to the future residents of this facility. The applicant mentions hiring private security, but will they be properly trained?

#### Response:

As mentioned above, there is no substantial evidence in the record that the proposed project will be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. The project has been conditioned to maximize the safety of the residents of this proposed facility. The applicant has been required to provide on-site security, cameras, lighting, shuttling, etc. to maximize the safety of the residents. In addition, the Police Department has reviewed the applicant's operational statement and addendum to the operational statement and determined that the security proposed is adequate.

7. Without the actual Police Department on-site, there will be little to no transparency of incidents that occur within or around the property.

#### Response:

The applicant will be required to keep a record of any incidents in which security was called for an onsite or offsite disturbance at the facility. This log will be required to be made available to the City of Fresno upon request and made available to the public at the quarterly neighborhood meetings.

8. The applicant has not provided details on landscape enhancements, property maintenance

standards (ongoing), landscape maintenance standards (ongoing) and property management standards.

## Response:

As a condition of project approval, the applicant has been required to improve the landscaping on-site. The applicant has also been required to have a live-in property manager. This property manager may have other responsibilities, but will be required to ensure that he or she responds to all concerns and complaints from the residents of the facility and from the public.

9. There is great concern for the children in this area, let alone adding more children to the Jane Addams School.

# Response:

As discussed in the letter from the Fresno Unified School District dated August 12, 2010, the conversion of non-habitable to habitable space such as that requested by Conditional Use Permit Application No. C-10-109 is subject to development fees of \$2.97 per square foot.

#### CONDITIONAL USE PERMIT APPLICATION REVIEW FINDINGS

No special permit may be issued unless it is found that the privilege exercised under the permit, as it may be conditioned, conforms to the findings of Section 12-405-A-2 of the Fresno Municipal Code. Based upon analysis of the conditional use permit application, staff concludes that all of the required findings can be made for this conditional use permit application as follows:

# Findings per Fresno Municipal Code Section 12-405-A-2

a. All applicable provisions of this Code are complied with and the site of the proposed use is adequate in size and shape to accommodate said use, and accommodate all yards, spaces, walls and fences, parking, loading, recycling areas, landscaping, and other required features; and,

#### Finding a:

The 9 acre site is adequate in size and shape to accommodate the proposed use. The facility will include ample space for parking, open space, and other amenities and services for the residents of the facility. Conditional Use Permit Application No. C-10-109 will comply with all applicable codes, including parking, landscaping, walls, etc., given that the special conditions of project approval will ensure that all conditions are met prior to the site being occupied.

b. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use; and,

# Finding b:

All special conditions required under Conditional Use Permit Application No. C-10-109 have been incorporated into the conditions of approval of the subject application. Furthermore, the Public Works Department, Traffic Engineering Division reviewed the proposed project and assessed the adjacent streets to ensure that the proposal would not have significant impacts on traffic and the surrounding community. Subject to the Conditions of Approval for Conditional Use Permit Application No. C-10-109, the streets and highways will be of adequate width and pavement type to carry the quantity and kind of traffic generated by the proposed use.

c. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. The third finding shall not apply to uses which are subject to the provision of Section 12-306-N-30 of the FMC.

# Finding c:

The proposed use will not have a negative impact on either the subject site, or neighboring properties given that the proposed project will be well maintained and will be compatible with existing adjacent uses. The applicant has been required to provide adequate landscaping, parking, and pedestrian access, and has been required to comply with all property development standards as detailed in the Fresno Municipal Code and the 2025 Fresno General Plan. In addition, the facility will be fully gated and secured and will provide security and lighting to ensure the safety of the residents and the surrounding community. The applicant has also been required to provide an onsite property manager and hold quarterly community meetings to ensure that any concerns regarding the facility will be addressed in a timely and efficient manner. These conditions are intended to help protect the public health, safety and welfare of patrons and neighbors, alike, and are expected to improve the overall appearance of the area.

#### Conclusion

In conclusion, given that all mandated conditional use permit findings required pursuant to Section 12-405-A-2 of the Fresno Municipal Code can be made for Conditional Use Permit Application No. C-10-109, staff recommends that the Planning Commission deny the appeal and uphold the action of the Director as previously described in this staff report.

Attachments: Exhibit A: Vicinity Map

Exhibit B: 2008 Aerial Photograph of site

Exhibit C: Noticing Maps
Exhibit D: Appeal Letters (2)

Exhibit E: Conditions of Approval dated August 25, 2010

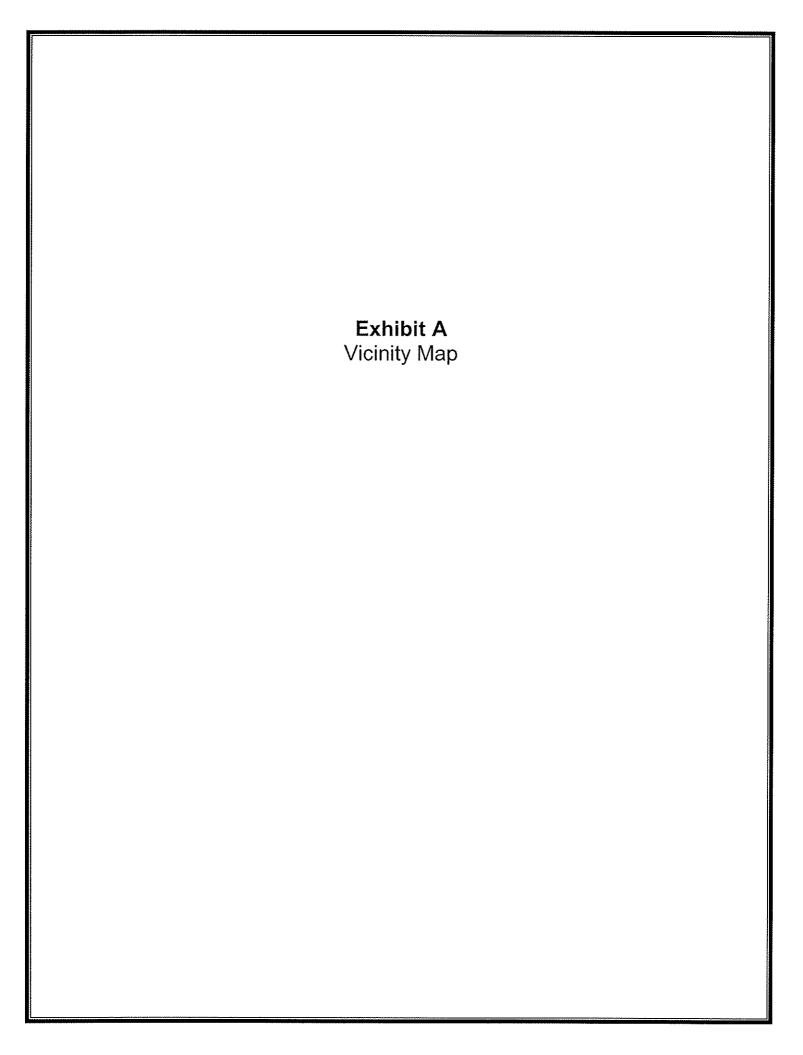
Exhibit F: Site Plan, Floor Plans, Elevations

Exhibit G: Operational Statement and Addendum to Operational Statement

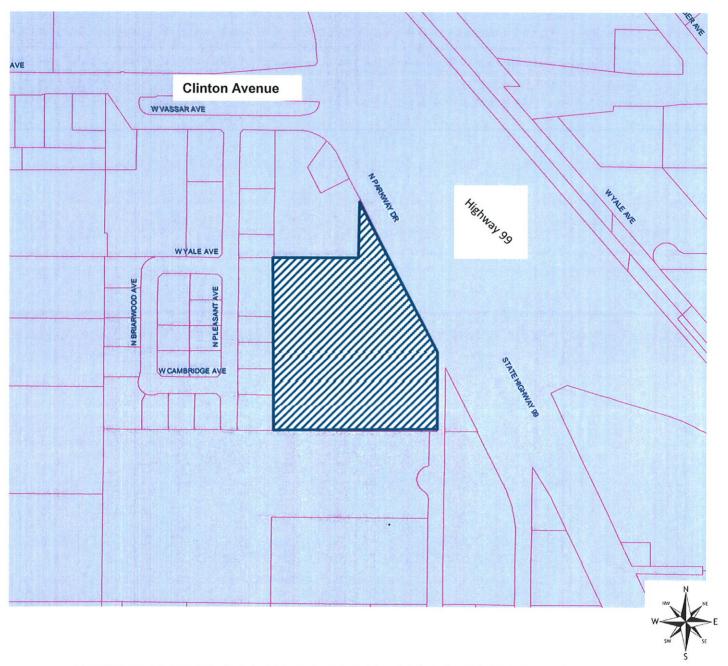
Exhibit H: Letters of Opposition Exhibit I: Letters in Support

Exhibit J: Fresno Police Department letter dated June 1, 2010

Exhibit K: Environmental Assessment No. C-10-109



# **VICINITY MAP**

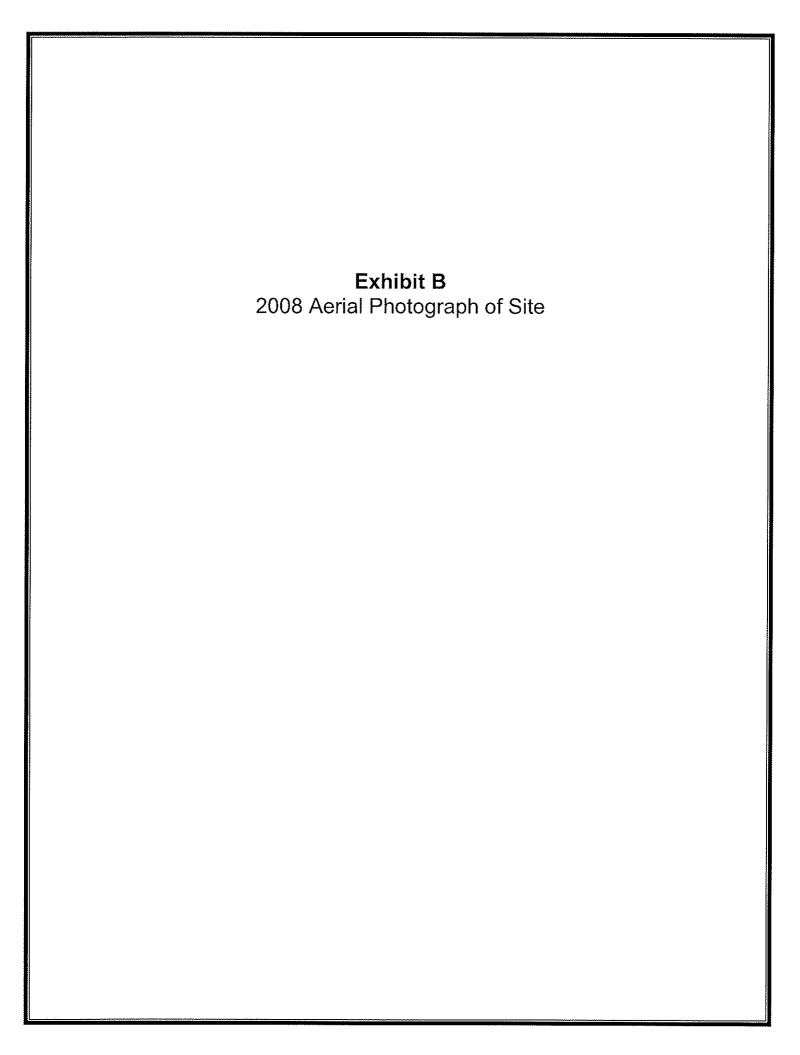


# **CONDITIONAL USE PERMIT APPLICATION NO. C-10-109**

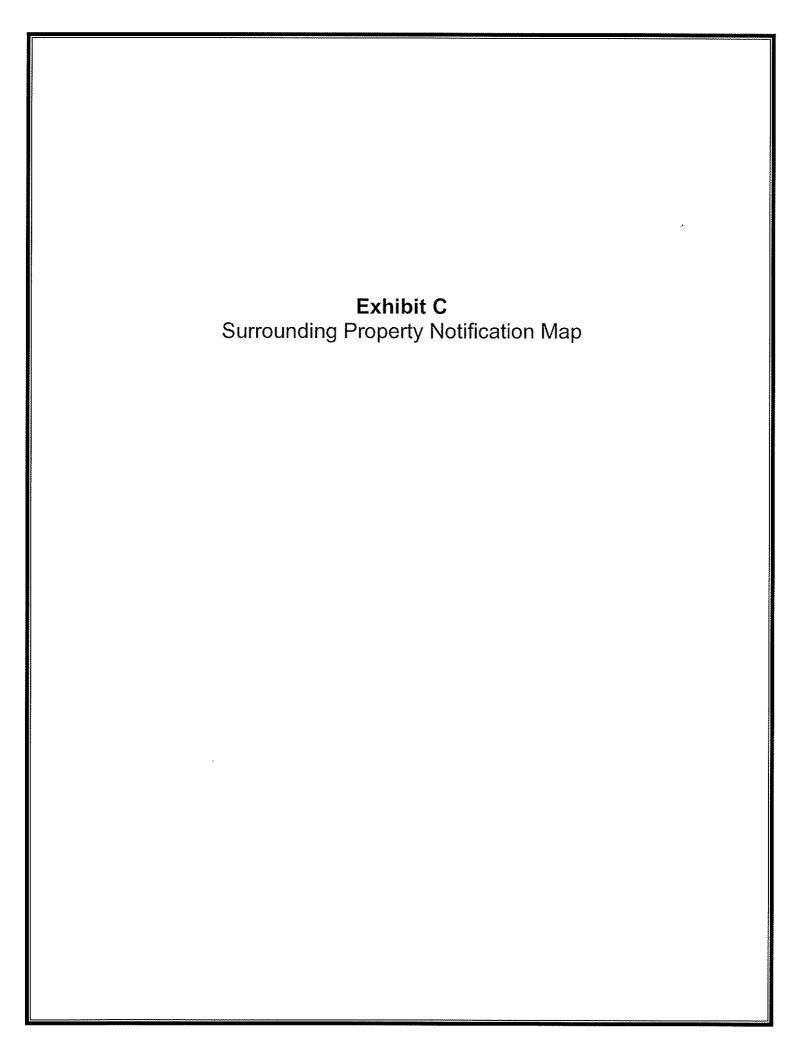
2141 N. Parkway Drive

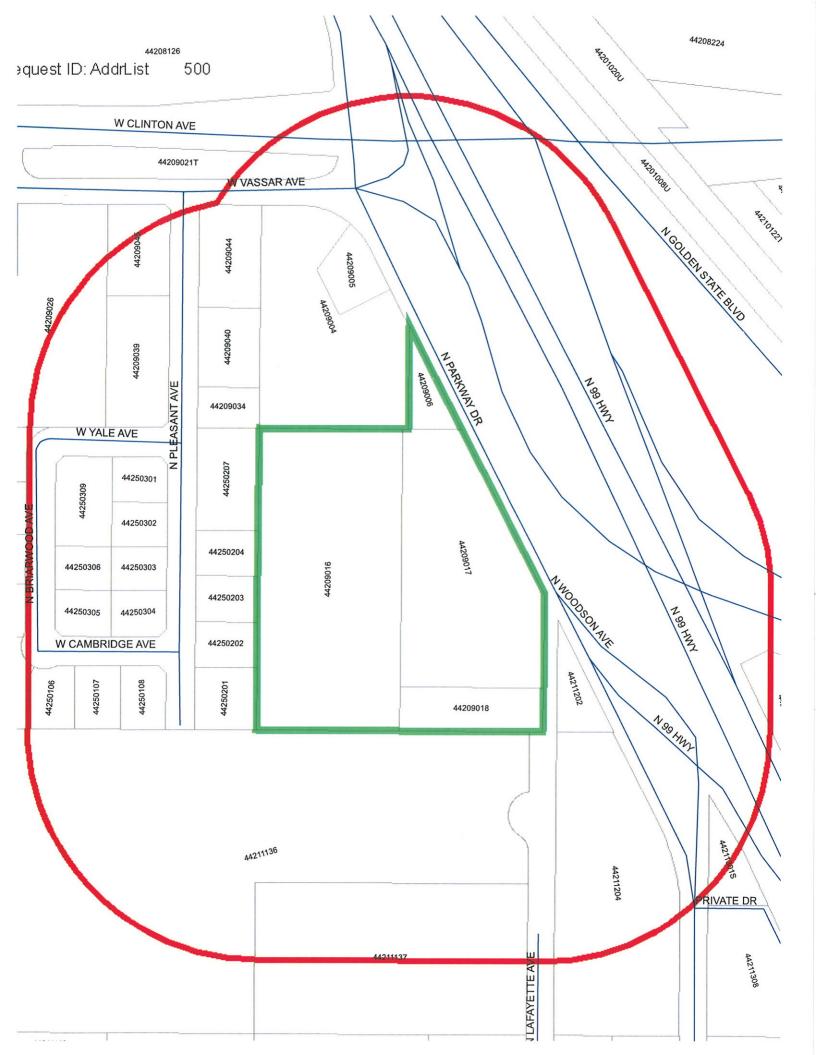
**LEGEND** 





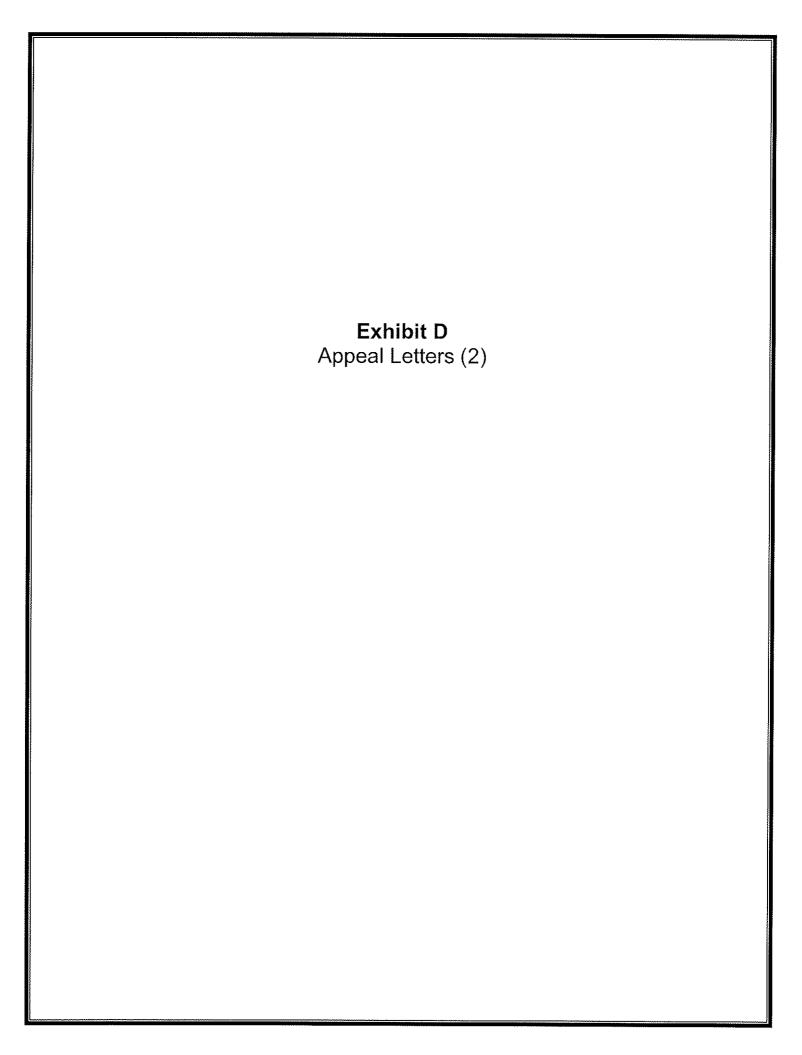






C-10-109- Mailers also sent to property owner and tenants of highlighted area below





# To whom it may concern:

I am protesting the Conditional Use Permit Application No. C-10-109 for the property known at Vagabond Motel located at 2141 N. Parkway Dr. This is located next to a motel known for druggies, alcoholics, prostitutes and pimps and let alone small children residing. You people have brought enough poverty, crime and who knows what else into this neighborhood recently. It has to STOP. Maybe you should look at property NORTH of Herndon Ave to put these programs. PLEASE RECONSIDER THIS ZONING.

I also protested at the meeting held at the Vagabond Motel held on May, 20, 2010.

I have attached a copy of the letter I received so you will know where I am talking about.

PLEASE PUT A STOP TO THIS!!!!!

SEP LIFE

Planning & Devolupment Dept. OTY OF FRESNO Thank You,

Lanella Hare

964 N. Monte Ave

Fresno, Ca. 93728

Ph: 559-237-3256

# The H.E.A.T for Southwest Fresno Community

(Hope Effort Appropriately Thriving)
P 0 Box 12571
Fresno, CA 93778
e-mail:HEATSWFC@aol.com

September 8, 2010

City of Fresno Development & Resource Management Department 2600 Fresno Street, Rm 3043 Fresno, CA 93721

t 2010

Planning Division
Planning & Development Dept.
OITY OF FRESNO

Re: Conditional Use Permit Application no. C-10-109

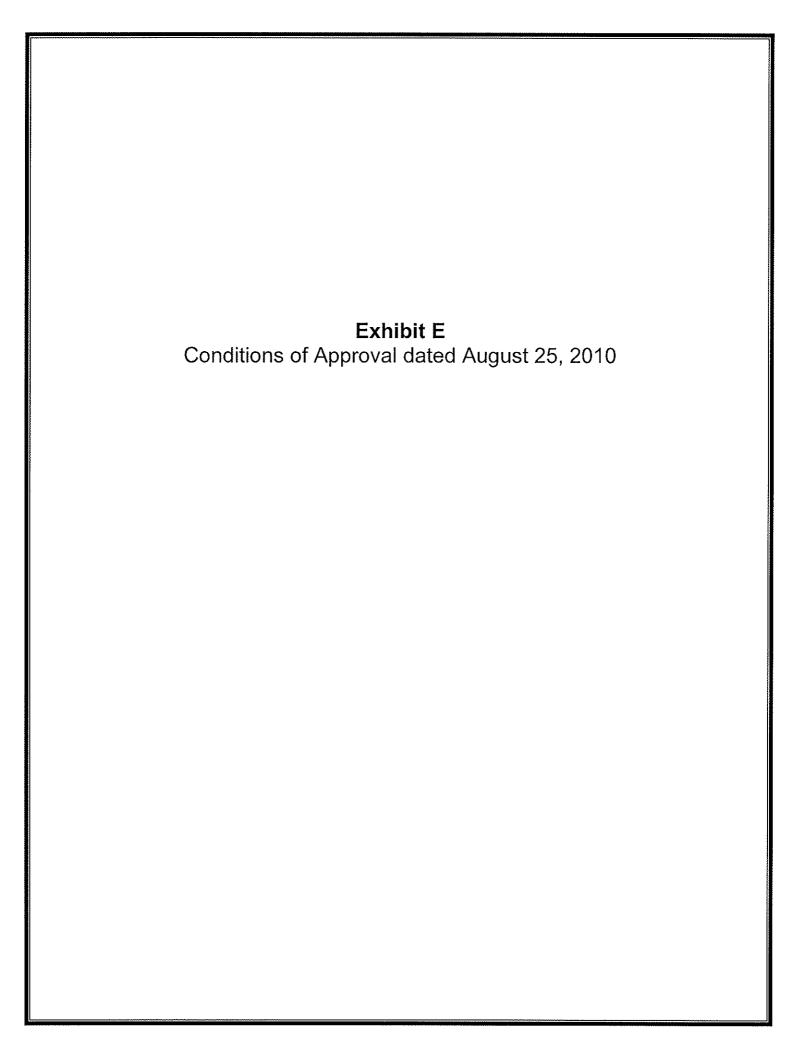
Attn: John M. Dugan, AICP, Director Bonique Salinas

HEATSWFC objects to the granting of the above-mentioned conditional use permit for the following reasons:

- 1. It is not made clear what the purpose of this secure/gated "transitional housing community" is.
  - A. How will this "transitional housing community" fit into the current plans for the area in question.
  - B. Who will benefit from this "transitional housing community"? Is it for the homeless?
  - C. Who will be eligible for the "emergency housing aspect of of the facility?

Also, as a non-profit organization, the Fresno Rescue Mission would be eligible for CDBG funds as a provider of services for the homeless or other needy residents in the community. We object to the use of CDBG funds for any project in the city of Fresno until the needs of the South West Fresno community is addressed.

Sincerely Members of HEATSWFC



# CITY OF FRESNO DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

# CONDITIONS OF APPROVAL AUGUST 25, 2010

# **CONDITIONAL USE PERMIT APPLICATION NO. C-10-109**

# NOTICE TO PROJECT APPLICANT

In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedication, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within 90 days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project.

This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or, where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

# **PART A - PROJECT INFORMATION**

1. Assessor's Parcel No: 442-090-06, 16, 17 and 18

2. Job Address: 2141 North Parkway Drive

3. Street Location: Located on the west side of North Parkway Drive between West Clinton

and West McKinley Avenues

4. Existing Zoning: C-6 and C-6/UGM (Heavy Commercial/Urban Growth Management)

5. Planned Land Use: General Heavy Commercial

6. Zone Map: 2247

7. Plan Areas: West Area Community Plan

Freeway 99-Golden State Corridor Redevelopment Area

8. Project Description: Conditional Use Permit Application C-10-109 requests authorization to

convert and rehabilitate the former Vagabond Motel to a secure/gated Vagabond Inn/'Save The Children' transitional housing community owned and operated by the Fresno Rescue Mission. The proposed development will consist of 62 residential units, 1 resident manager unit, 5 conference rooms, 1 medical room, 10 offices, 5 meeting rooms, 4 rooms for childcare and study, chapel, dining room, support activities, and playgrounds. The proposed use is classified as a Group Housing Facility as defined by Section 12-105-G-10 of the Fresno Municipal

Code.

# PART B - GENERAL CONDITIONS AND REQUIREMENTS

The Development and Resource Management Department, on August 25, 2010, approved the special permit application subject to the enclosed list of conditions and Exhibits A and A-1 dated July 13, 2010 and Exhibits E-1, E-2, E-3, F-1, F-2, F-3 and L dated May 3, 2010.

Staff has issued a finding of conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) for this project dated July 2, 2010, which incorporates a MEIR Mitigation Monitoring Checklist. The finding of conformity was published in the Fresno Bee commencing a 30-day public review and comment period that ended on August 3, 2010.

#### IMPORTANT: PLEASE READ CAREFULLY

Please note that this project may be subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies, those determined through site plan review and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community, and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Discretionary conditions of approval are listed in the last section of this list of conditions under the heading "Part F - Miscellaneous" and may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings pursuant to Fresno Municipal Code (FMC) Section 12-405.A can be made.

All discretionary conditions of approval will ultimately be deemed mandatory unless appealed in writing to the Development and Resource Management Department Director within 15 days.

In the event you wish to appeal the Director's decision or discretionary conditions of approval, you may do so by filing a written appeal with the Director. The appeal shall include a statement of your interest in or relationship to the subject property, the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld. Your appeal must be filed by **September 9, 2010.** 

Approval of this special permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development including, but not limited to, the following:

- All existing and proposed improvements including but not limited to buildings and structures, signs and their uses, trees, walls, driveways, outdoor storage, and open land use areas on the subject property and all of the preceding which are located on adjoining property and may encroach on the subject property;
- 2. All public and private easements, rights-of-way and any actual or potential prescriptive easements or uses of the subject property; and,
- 3. Existing and proposed grade differentials between the subject property and adjoining property zoned or planned for residential use.

Approval of this special permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this special permit, the Zoning Ordinance, and all Public Works Standards and Specifications. The Development and Resource Management Department shall not assume responsibility for any deletions or omissions resulting from the special permit review process or for additions or alterations to construction plans not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions. (Include this note on the site plan.)

No uses of land, buildings, or structures other than those specifically approved pursuant to this site plan shall be permitted. (Include this note on the site plan.)

Transfer all red line notes, etc., shown on Exhibit A dated July 13, 2010 to the final site plan. CORRECTIONS SHALL INCLUDE ALL THOSE LISTED IN THIS DOCUMENT AND THOSE LISTED IN THE CORRECTION LIST PROVIDED BY THE PLAN CHECK PROCESS.

The exercise of rights granted by this special permit shall commence by <u>August 25, 2014</u> (four years from the date of Director approval). There is no exception.

To complete the back-check process for building permits relative to planning an zoning issues, submit four copies of this corrected, final site plan, together with three copies of the elevations, landscape, and irrigation plans, and any fees and title reports for required covenants and any required studies or analyses to Bonique Salinas in the Development Services Division for final review and approval, fifteen days before applying for building permits. It may be necessary to resubmit these "corrected exhibits" a second time if not all the conditions have been complied with or are not shown on the exhibits. Once the "corrected exhibits" are approved by the Development Services Division, please place these exhibits in the plan check set and contact the Development Services Division, along with Traffic Planning, to set up an appointment to signoff and stamp these exhibits. Please bring two additional copies of the site plan exhibit(s) to this appointment so that both the Development Services Division and Traffic Planning have a final signed-off copy of the site plan.

Please note that even if building permits are not required for the proposed use, a final corrected exhibit is required and all conditions must be met and project must be signed off by the planner prior to the start of operation.

Copies of the final approved site plan, elevations, landscape, and irrigation plans stamped by the Planning Division <u>must be substituted</u> for unstamped copies of same in each of the sets of construction plans submitted for plan check prior to issuance of building permits. The final approved site plan must also include all corrections identified in the plan check process.

Be advised that on-site inspections will not be authorized <u>unless</u> the final stamped approved site plan, elevations, landscape, and irrigation plans are included in the plan check file copy.

Please contact Bonique Salinas at (559) 621-8024 or via e-mail at Bonique.Salinas@fresno.gov for an appointment for final sign-off for building permits following your receipt and substitution of the copies of the stamped, corrected, approved exhibits in the plan check sets.

# PART C - PUBLIC IMPROVEMENT REQUIREMENTS

# 1) PUBLIC WORKS, ENGINEERING DIVISION REQUIREMENTS

The following requirements are based on city records and the accuracy of the existing and proposed on-site and off-site conditions depicted on the exhibits submitted. Requirements not addressed due to omission or misrepresentation of information, for which this review process is dependent, will be imposed whenever such conditions are disclosed.

Please see attached memorandum from the Public Works Department, Traffic Engineering dated June 10, 2010 as well as comments made to Exhibit A, dated July 13, 2010.

Questions relative to dedications, street improvements or off-street parking geometrics may be directed to Mario Rocha at (559) 621-8684 / Mario.Rocha@fresno.gov, Engineering Division, Traffic Planning Section.

#### SURVEY MONUMENTS AND PARCEL CONFIGURATION

a) Existing survey monuments shall be preserved and if disturbed, shall be reset by a person licensed to practice land surveying in the State of California.

## STREET DEDICATIONS, VACATIONS, AND ENCROACHMENT PERMITS.

- b) Exhibit "A" is required to include all street furniture, e.g.: public utility poles and boxes, guy wires, signs, fire hydrants, bus stop benches, mail boxes, news stands, trash receptacles, tree wells, etc., within the existing and proposed public rights of way.
- c) Provide a minimum 4 foot wide path of travel along the public sidewalk on all frontages of the property as required by Title 24 of the California Administration Code. An on-site pedestrian easement may be required if Title 24 requirements can not be met within the existing public rights of way.
- d) The construction of any overhead, surface or sub-surface structures and appurtenances in the public rights-of-way is prohibited unless an encroachment permit is approved by the City of Fresno Public Works Department, Engineering Division, Special Districts / Projects and Right of Way Section, (559) 621-8693. Encroachment permits must be approved **prior** to issuance of building permits.

#### STREET IMPROVEMENTS

- e) All improvements shall be constructed in accordance with the Standard Specifications and Standard Drawings of the City of Fresno, Public Works Department. The performance of any work within the public street rights-of-way (including pedestrian and utility easements) requires a STREET WORK PERMIT prior to commencement of work. Contact the City of Fresno Public Works Department, Engineering Services Section at (559) 621-8686 for detailed information. All required street improvements must be completed and accepted by the city prior to occupancy.
- f) Repair all damaged and/or off grade off-site concrete improvements as determined by the

Public Works Department, Construction Management Division. For additional information you may call (559) 621-5600.

## OFF-STREET PARKING FACILITIES AND GEOMETRICS

- g) Off-street parking facilities and geometrics shall conform to the City of Fresno Public Works Department, Parking Manual and Standard Drawing(s) P-41, P-42, P-43.
- h) Provide parking space needs, circulation, access, directional signs (e.g. "Entrance," "Exit," "Right Turn Only," "One Way" signs, etc.) as noted on **Exhibit "A".**

## TRAFFIC SIGNAL MITIGATION IMPACT (TSMI) FEE:

i) This project shall pay its TSMI Fee at the time of building permit based on the trip generation rate(s) as set forth in the latest edition of the ITE Generation Manual.

## FRESNO MAJOR STREET IMPACT FEES (FMSI)

j) This entitlement is in the **Infill Area**; therefore pay all applicable City-wide regional street impact fees.

# STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FEES:

k) Applicant shall pay fair share contribution as determined by the State of California Department of Transportation (Caltrans) to be collected by the City of Fresno Public Works Department Traffic Engineering, (559) 621-8820, **prior** to a Building Permit.

## 2) WATER AND SEWER SERVICE REQUIREMENTS

- a) Connection to the City of Fresno water system is required.
- b) Connection to the City of Fresno sewer system is required.
- c) City of Fresno water and sewer connection charge obligations applicable to this project will be computed during the building construction plan check process and shall be payable at time of issuance of building permit unless other arrangements have been approved to defer such payments to a later date. For information relating to water and sewer service requirements and connection charges, contact Frank Saburit at (559) 621-8277.
- d) Open street cuts are not permitted; all utility connections must be bored.
- e) CROSS-CONNECTION CONTROL. A backflow prevention device may be required on the water service. Contact the Department of Public Utilities, Water Division (559) 621-5300 for requirements relating to approved devices, locations, testing and acceptance. This requirement must be satisfied prior to final occupancy.

# 3) DEVELOPMENT IMPACT FEES

- a) Sewer Connection Charges (FMC Section 9-503-a). The following sewer connection charges may be required and will be payable at the fee rate listed in the Master Fee Schedule at the time payment is due. New sewer connection charges adopted by the Council prior to the issuance of building permits may also be applied.
  - (i) Lateral Sewer Charge (based on property frontage to existing sewer main, to a depth of 100')
  - (ii) Oversize Sewer Charge (based on property frontage to a depth of 100')
  - (iii) Upon occupancy of the project, the developer shall pay the appropriate sewer facility charge pursuant to the Simple Tiered Equity Program (STEP) as determined by the Department of Public Utilities, Wastewater Division, Environmental Services Section (559-621-5153).

Effective January 9, 1999, Ordinance No. 98-97 also amended certain sewer connection charges. Fresno Municipal Code Article 15, Section 12 provides property owners the incentives and deletes certain sewer connection charges pursuant to the Simple Tiered Equity Program (STEP) and the Employment Development Program (EDP).

For additional information on the STEP and EDP, contact the Department of Public Utilities, Administration Division at (559) 621-8600.

- b) Water Connection Charges: (FMC Sections 14-107 to 14-110). The following water connection charges may be required and will be payable at the fee rate listed in the Master Fee Schedule at the time payment is due. New water connection charges adopted by the Council **prior** to issuance of building permits may also be applied.
  - (i) Frontage Charge (based on property frontage)
  - (ii) Transmission Grid Main Charge (based on acreage)
  - (iii) Transmission Grid Main Bond Debt Services Charge (based on acreage)
  - (iv) Fire Hydrant Charge (based on square footage to a depth of 250')
  - (v) UGM Water Supply Fee (based on living units, living unit equivalents or acreage)
  - (vi) Wellhead Treatment Fee (based on living units or living unit equivalents)
  - (vii) Recharge Fee (based on living units or living unit equivalents)
  - (viii) 1994 Bond Debt Service Charge (based on living units or living unit equivalents)
  - (ix) Service Charges (based on service size required by applicant)
  - (x) Meter Charges (based on service need)

c) Traffic Signal Fee Mitigation. This project shall pay its Traffic Signal Mitigation Impact Fee at the time of building permit based on the trip generation rate(s) as set forth in the latest edition of the ITE Generation Manual. Refer to the adopted Master Fee Schedule for fee rate. This fee shall be paid at time of building permit.

Commercial, Industrial (based on Average Daily Trips) Single, Multi-Family Residential (based on the number of residential units)

d) Citywide Fire Facilities Charge

Commercial, Industrial (based on building square footage)
Single, Multi-Family Residential (based on the number of residential units)

e) Citywide Park Facility Charge.

Single, Multi-Family Residential (based on the number of residential units)

f) Citywide Police Facilities Charge

Commercial, Industrial (based on building square footage)
Single, Multi-Family Residential (based on the number of residential units)

g) Citywide Regional Street Charge.

Planned Land Use (based on parcel acreage)

h) Fresno County Facility Impact Fee: Pay the Fresno County Facility Impact Fee. Provide proof of payment or exemption prior to issuance of permits.

#### 4) OTHER AGENCIES IMPACT FEES

- a) Satisfy the Fresno County Facilities Impact Fee obligation. Provide County Facilities Impact Fee receipt from the County Public Works and Planning Department (559-488-3496) as proof of payment or exemption prior to the issuance of building permits.
- b) Satisfy the Fresno County Regional Transportation Mitigation Fee (RTMF), as required by the RTMF Joint Powers Agency (559-233-4148). Provided are the RTMF Informational Summary and the Record of Payment forms.
  - i) The completed Record of Payment of the RTMF form of the must be submitted to the City prior to the issuance of building permits. Prior to issuance of the Certificate of Occupancy, the Record of Payment of the RTMF form must be signed indicating the Disposition of RTMF by the RTMF JPA.

# PART D - PLANNING/ZONING REQUIREMENTS

# 1) PLANNING

- a) Development is subject to the following plans and policies:
  - (i) C-6 (*Heavy Commercial*) (Section 12-222 of the FMC)
  - (ii) Section 12-306-N-43 of the FMC (Group Housing Facilities)
  - (iii) West Area Community Plan
  - (iv) Freeway 99-Golden State Corridor Redevelopment Area
  - (v) 2025 Fresno General Plan
  - (vi) Development Department, Performance Standards for Parking Lot Shading

# 2) ZONING

a) Development is proposed in accordance with the existing C-6 (Heavy Commercial) zone district.

The proposed land use, a Group Housing Facility, is a use allowed subject to a conditional use permit in the C-6 zone district pursuant to Section 12-222.3-18 of the Fresno Municipal Code.

The definition of a Group Housing Facility is defined by Section 12-105-G-10 as follows:

GROUP HOUSING FACILITY shall mean any building, facility, premises, house, structure, dwelling unit, multiple dwelling, apartment house, or portion thereof, at which persons reside in a group occupancy setting, but not including a hotel, motel, fraternity, sorority, rooming and/or boarding house, rest home or family.

This facility is generally characterized by the provision of a pre-arranged or organized household structure or program. Residents of a facility may also receive medical treatment in addition to any non-medical supportive services in a residential or congregate care setting, as opposed to a hospital.

Group housing facilities, except those located in a single family dwelling with six (6) or fewer persons, are subject to the provisions of Subsection 12-306-N-43.

Section 12-306-N-43 states the following:

Group Housing Facility. The following development standards shall apply whenever property is proposed to be used as a Group Housing Facility for seven (7) or more people.

- a. A minimum of twenty-five percent of the facility site area shall be comprised of usable open space for residents, provided that the Director, or Commission or Council on appeal may permit a reduction of the required usable open space when both of the following findings can be made:
  - (1) The size, shape, topography, location, or surroundings of the property makes the strict application of the open space standard by this Code infeasible.

> (2) The reduction of usable open space will not be detrimental to the public welfare or the needs of the residents and guests and will not be injurious to property or improvements in the area in which the property is located.

# Provide open space calculation on site plan and/or landscape exhibit.

b. Parking shall be provided in accordance with Section 12-306-I-6-e.

## Please see parking requirements below.

c. No group housing facility for seven (7) or more people shall be located within 300 feet from any other group housing facility for seven (7) or more people, as measured from any point upon the outside walls of the structures housing those facilities. This development standard shall not apply to any group housing facility that is subject to any spacing regulation under state law except to the extent such state law otherwise permits. In determining whether a group housing facility is located within 300 feet of any other group housing facility, facilities that are exempt from consideration by state law shall not be considered.

# There are no group housing facilities for 7 or more located within 30 feet from the subject site.

# 3) WEST AREA COMMUNITY PLAN:

- a) The following plans and policies contained in the West Area Community Plan are applicable to the subject property:
  - (i) Policy W-5-C: The following design measures, as well as any measures identified by the Police Department and Development Department, to promote controlled access and community surveillance of all common areas and facilities:
    - pedestrian and vehicular entrances, walkways, parking areas, open spaces, common facilities, structures, and fencing shall be designed to inhibit uncontrolled access by nonresidents and facilitate surveillance by residents, property managers and law enforcement/security personnel.
    - in projects with five or more dwelling units, fencing or walls shall have a 6-foot minimum height, with gated pedestrian entrances to control pedestrian access. These access control structures shall be sited and designed in consultation with the Fire and Police Departments, and, in the case of sound control walls, with the Public Works Department. When feasible and safe, pedestrian access through sound or security walls should be provided near transit stops, schools, parks, shopping center, and other activity centers.
- (ii) Policy W-7-c: A landscaped buffer strip, containing deciduous and evergreen trees, is to be planted and maintained along local streets abutting nonresidential uses, and along all the property lines that lie between nonresidential uses and abutting properties that are zoned, planned, or otherwise approved for residential uses. The landscaped buffer shall be at least 10 feet wide (or wider, as may be required by the Fresno Municipal Code or through the special permit issuance and appeals process).

(iii) Policy W-7-h: The design of exterior trash pad recyclable storage areas, and similar accessory site elements shall be compatible with the architectural style of the main nonresidential building and shall use complementary materials and colors. Whenever possible, trash and recyclable material enclosures and containers should meet the 150-foot setback requirement for separation of loading zones from property planned, zoned, or otherwise approved for residential uses.

# 4) 2025 FRESNO GENERAL PLAN

- a) Comply with the all applicable mitigation measures detailed in the attached Master Environmental Impact Report MEIR Mitigation Monitoring Checklist for the 2025 Fresno General Plan attached to EA No. C-10-109 and dated July 2, 2010.
- b) The following plans and policies of the 2025 Fresno General Plan are applicable to the subject property:
  - (i) C-20-e Policy: Development projects shall include aesthetic measures which support functionality and add to the appearance and livability of the community.
- (ii) C-21 Objective: Incorporate the following design considerations and practices for single-family clustered projects, multi-family, and **residential/institutional projects**:
  - An architectural theme shall be established for each development, including visually enhanced architectural features and building materials (which shall be applied throughout the development, particularly where visible to street frontages and adjacent property).
- (iii) C-21-e Policy: Design pedestrian and vehicular entrances, walkways, parking areas, open spaces, common facilities, structures and fencing to inhibit uncontrolled access by nonresidents and facilitate surveillance by residents, property managers and law enforcement or security personnel. Vehicular access gates may be used when they can be safely installed.
- (iv) C-21-f Policy: Fences and walls along street frontages shall be designed to be architecturally compatible, aesthetically pleasing, and durable with easy pedestrian access to nearby commercial uses.

#### 5) BUILDING HEIGHT

- a) No building or structure erected in this District shall have a height greater than thirty-five (35) feet with the following exceptions:
  - I. A building or structure with a building height greater than thirty-five (35) feet, but not exceeding sixty (60) feet, may be erected subject to the securing of a Conditional Use Permit as set forth in Sections 12-405 and 12-406; and

Please submit elevations for the proposed two story storage building. The proposed "new two story storage building" and the "new clothing storage building" require approval of elevations prior to issuance of building permits for these buildings.

# 6) LOT COVERAGE

a) No requirements.

# 7) BUILDING SETBACK, OPEN SPACES AND LANDSCAPING

- a) Provide the following minimum building setbacks:
  - (i) Parkway Drive/Lafayette Avenue: 10-feet required pursuant to Section 12-222.5-E-2 of the Fresno Municipal Code (FMC).
- b) Provide the following minimum landscape setbacks:
  - (ii) Parkway Drive/Lafayette Avenue: 10-feet required pursuant to Section 12-222.5-E-2 and Section 12-222.5-E-1-b of the FMC. The Redevelopment Agency has required 20-feet of landscaping. Please provide 20-feet of landscaping in the areas where there are no existing structures.
  - (i) All other landscaping as shown on Exhibit L dated May 3, 2010.
- c) No structures of any kind (including signs and/or fences) may be installed or maintained within the above-landscaped areas. No exposed utility boxes, transformers, meters, piping (excepting the backflow prevention device), etc., are allowed to be located in the landscape areas or setbacks or on the street frontages of the buildings. All transformers, etc., shall be shown on the site plan. The backflow device shall be screened by landscaping or such other means as may be approved. (Include this note on the site plan.)
- d) The number of trees will be determined by the following formula:
  - (i) Provide one medium size tree for every two parking spaces (Section 12-306-N-24-g-3 of the FMC).
    - o Provide a total of 87 medium sized trees on-site:
      - 173 parking spaces provided/ 2= 87 medium sized trees required on-site.

Please revise Exhibit A or provide a landscape plan that depicts these required trees (both existing and proposed).

NOTE: Two small trees (15-30 feet at maturity) shall be counted as one medium-sized tree.

- e) Provide shade calculations on the landscape plan for parking lot shading in accordance with the attached *Development Department*, *Performance Standards for Parking Lot Shading*, including tree species and tree counts. **This is only required for the new public parking area, not for the remainder of the site.**
- f) Disperse trees over the parking lot area to provide 50 percent shading of the parking area surface within 15 years. (This requirement may be reduced to 40 percent for existing development if it is demonstrated that the constraints of an existing site would make it impossible to meet the normal standards.) Trees shall also be planted in the required

landscaped area along the periphery of the development in order to shade and enhance adjacent property and public rights-of-way. Refer to the attached "Performance Standards for Parking Lot Shading," for the tree list and further details.

- g) Trees shall be maintained in good health. However, trees may not be trimmed or pruned to reduce the natural height or overall crown of the tree, except as necessary for the health of the tree and public safety; or as may otherwise be approved by the Development and Resource Management Department. (Include this note on the site and landscape plans.)
- h) Submit three copies of landscaping and irrigation plans prepared by a landscape professional, showing the number and types of trees, to the Development Services Division. These plans must be reviewed and approved prior to obtaining building permits.
- i) Landscaping must be in place before issuance of the certificate of occupancy. A Hold on Occupancy shall be placed on the proposed development until such time that landscaping has been approved and verified for proper installation by the Development Services Division. (Include this note on the site and landscape plans.)
- j) Prior to final inspection, a written certification, signed by a landscape professional approved by the Director, shall be submitted stating that the required landscaping and irrigation system was installed in accordance with the landscaping and irrigation plans approved by the Development Services Division of the Development and Resource Management Department. (Include this note on the site and landscape plans.)

## 8) SPACE BETWEEN BUILDINGS

a) There are no requirements for space between buildings.

#### 9) FENCES, HEDGES, AND WALLS

- a) Temporary fences to secure projects under construction are allowed. Any temporary fence shall be adequately secured and constructed to prevent overturning due to wind, vandalism, and/or casual contact by the general public. The construction shall be performed in such a manner as to minimize any potential safety hazard, which may occur as a result of improper fence installation or damage to the fence.
- b) Only those fences as shown on the site plan shall be reviewed for approval.
- c) Please provide the height and type of all existing and proposed fences on Exhibit A. There is one fence depicted on Exhibit A that is located in between 2 buildings that is not identified. Please identify and provide height and fence type.
- d) An 8-foot high fence is not allowed. Pursuant to Section 12-306-H-3-d of the FMC, the Director may approve, with good cause, a fence, hedge or wall to a maximum of 7-feet. Given that the proposed playfields will be adjacent to commercial and industrial uses, the Director has good cause to allow the proposed fences located on the westerly side of the subject to be constructed to a maximum height of 7-feet pursuant to the Section 12-306-H-3-D of the FMC.
- e) There are several pedestrian gate entrances and building entrances that will be accessible from

outside of the fences of the facility. How will these be secured to prevent individuals who do not reside at the facility from entering the facility? Where is the main vehicular entrance and where is the main pedestrian entrance to the site? Please provide details in writing prior to operation.

- f) As required by the Fresno Police Department in a memorandum dated June 1, 2010, the gate area must be staffed by security personnel to monitor persons coming and going from the location and to conduct security screening.
- g) Future fences shall be reviewed and approved by the Development and Resource Management Department prior to installation. (Include this note on the site plan.)

# 10) OFF-STREET PARKING

 a) Given that the proposed project is a group home, pursuant to Section12-306-N-43-b parking shall be provided in accordance with Section 12-306-I-6-e, which is as follows:

Group housing facility. When there is a group housing facility proposed for seven (7) or more people, parking shall be provided in the following manner:

- (i) One parking space for each four (4) beds provided; plus
- (ii) One visitor parking space shall be provided for each five (5) residents; plus
- (iii) One parking space shall be provided for each on-site employee. Number of parking spaces will be determined by the working shift with the greatest number of employees.
- (iv) The Director may, with good cause, reduce the parking requirement on a case-by-case basis, by a maximum thirty-five percent (35%).

Based on the Addendum to the operational statement dated May 27, 2010, the site could handle a maximum of 175 residents which is equivalent to 175 beds. In addition, the Addendum indicates that there will be a maximum of 35 staff/volunteers on the site at a given time. Thus, the following number of parking stalls is required:

175 beds/4 = 44 parking stalls 175 residents/5 = 35 parking stalls 35 staff = 35 parking stalls

#### 114 parking stalls are required for the proposed use

Exhibit A dated July 13, 2010 depicts a total of 173 parking spaces, exceeding this requirement.

- b) The provisions of the General Conditions, Section 12-306-I, shall apply.
- c) Future tenants, including tenant improvements shall be reviewed to ensure adequate parking pursuant to Section 12-218.5-I (off-street parking) of the FMC.
- d) Outdoor storage of materials, including ISO containers, is prohibited. All materials shall

# be stored within a completely enclosed building, unless approved by the Development and Resource Management Department. (Include this note on the site plan.)

- e) The parking lot design must accommodate the provision of trees in accordance with the attached Parking Lot Shading Policy.
- f) If 173 parking stalls are provided on the site, a minimum of **6** handicap accessible parking stalls are required per Table 11B-6 of the 2007 State of California Building Code (page 462). Exhibit A dated July 13, 2010 depicts 8 handicap parking stalls on the subject site, exceeding the requirement.
- g) All handicapped stalls shall be marked with the international symbol of spaces and a warning that vehicles in violation of Section 10-1017 of the Municipal Code shall be towed away. The international symbol and tow-away warning shall be posted conspicuously on seven-foot poles. (Include this note on the site plan.)
- h) All handicapped parking stalls shall be placed adjacent to facility access ramps or in strategic areas where the handicapped shall not have to wheel or walk behind parked vehicles while traveling to or from handicapped parking stalls and ramps. (Include this note on the site plan.)
- i) Lighting where provided to illuminate parking, sales or display areas shall be hooded and so arranged and controlled so as not to cause a nuisance either to highway traffic or to the living environment. The amount of light shall be provided according to the standards of the Department of Public Works. **Depict all proposed lights on the site plan.** 
  - (a) Exhibit A dated July 13, 2010 only depicts lighting within the eastern parking lot. Please indicate on the site plan where the lighting for the other parking lots, common areas, and play fields will be located. It is important that this facility has adequate lighting. Please ensure that all on-site pathways/walkways, parking lots, open space areas, and common areas are well lit.
- j) A minimum of 10 bicycle parking spaces shall be provided for the proposed use pursuant to Section 12-306-I-2.1c of the FMC. Bicycle parking spaces shall each consist of one slot in a bike rack. They shall be grouped in racks which allow four feet of clearance on all sides. There shall be adequate space between rack slots to park, lock, and remove bicycles. Bicycle parking spaces and the required four-foot clearance shall be protected from motor vehicle encroachment by means of fixed barriers not less than six inches or more than three in height. Bicycle parking spaces shall not encroach into pedestrian ways, landscaped areas, or other required open spaces, and shall be located proximal to structures.
- k) Please also provide at least 10 bike lockers on the site so that residents who use bicycles as their primary mode of transportation have a safe place to store their bikes.

# 11) LOADING SPACE REQUIREMENTS

- a) Pursuant to Section 12-306-L-1, an institutional use which contains a use which involves pick-up and delivery of materials (other than normal solid waste collections) from trucks and tractor-trailers weighing more than two tons, shall provide and maintain loading spaces as required by this section of the FMC. This section of the code requires 3 loading spaces for institutional buildings of this size.
- b) Should trucks exceeding two tons not be utilized in the operation of the proposed businesses, or internal loading is provided, a letter must be submitted to the Planning Division stating such. Exhibit A dated July 13, 2010 depicts **0** designated loading zones.

# 12) ACCESS

- a) There shall be vehicular access from a dedicated and improved street or alley to off-street parking and loading facilities on the property requiring off-street parking and loading. The design of said access to withstand industrial usage shall be approved by the Department of Public Works.
- b) The facility shall be secured. All pedestrian or vehicular entrances to facility shall be monitored to prevent unauthorized guests from entering the facility.

# 13) ADDRESSING

a) The address listed in the conditions of approval is the 'Official Address' given to the building. If you would like separate suite or unit numbers for a building, provide a floor plan and contact the City of Fresno Planning and Development Department for 'Official Addresses'. Only those addresses assigned by the City of Fresno will be recognized as 'Official Addresses'. The United States Post Office will only recognize addresses assigned by the City of Fresno. If a non-official address is given to a building and or/separate suites, the City of Fresno has the authority to charge a fee and have those addresses corrected. In addition, the United States Post Office will cease mail delivery to those addresses that are not 'Official Addresses'.

# 14) NOISE

a) Pursuant to Section 10-102.b of the FMC, noise levels for commercial zoned properties shall not exceed 65 decibels measured at the nearest subject property line from 7am to 10pm and 60 decibels from 10pm to 7am. Future uses and/or development shall be required to comply with this provision. (Include this note on the site plan.)

## 15) OUTDOOR ADVERTISING

- a) The provisions of the C-1 District, Section 12-217.5-K, shall apply for properties which are developed either for single-occupancy, nonresidential uses or as multiple-tenant shopping centers.
- b) The existing freestanding signs on the subject site must be removed.

#### 16) VOLUNTARY PARCEL MERGER

a) A voluntary parcel merger must be completed prior to operation. Please contact the Development Services Division for fees and information on submittal requirements.

#### PART E - CITY AND OTHER SERVICES

#### 1) BUILDING AND SAFETY DIVISION

a) Clarify occupancies of existing versus proposed uses for further comment.

#### 2) FIRE PROTECTION REQUIREMENTS

 a) Comply with attached Fresno Fire Department response dated May 14, 2010 which includes a requirement for a fire hydrant.

#### 3) SOLID WASTE MANAGEMENT

a) Comply with the attached memorandum from the Department of Public Utilities, Solid Waste Division, dated May 6, 2010 which requires that a new enclosure be constructed.

#### 4) FLOOD CONTROL REQUIREMENTS

- a) Comply with the attached Fresno Metropolitan Flood Control District (FMFCD) Notice of Requirements dated May 17, 2010. A fee of \$22,338.00 is due prior to issuance of building permits and/or operation. This fee can be paid directly to the City of Fresno prior to issuance of building permits.
- b) Contact the Fresno Metropolitan Flood Control District for further explanation regarding their requirements at (559) 456-3292.

#### 5) SCHOOL FEES

a) Comply with the attached letter from the Fresno Unified School District dated August 12, 2010. School fees must be paid, if required, prior to the issuance of building permits. Provide proof of payment (or no fee required) prior to the issuance of building permits.

#### 6) STREET TREE REQUIREMENTS

a) Comply with the attached memorandum dated May 21, 2010 from Hilary Kimber in the Public Works Department for street tree requirements.

#### 7) SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

- a) Comply with the attached letter from the San Joaquin Valley Air Pollution Control District (SJVAPCD) dated May 13, 2010.
- b) As indicated in the attached letter, an ISR may be required. This ISR must be completed prior to operation. Mitigation measures incorporated into the ISR analysis are incorporated into these

conditions of approval and are required.

#### 8) DEPARTMENT OF PUBLIC UTILITIES

a) Comply with the attached memorandums (2: one for water and one for sewer) from the Department of Public Utilities, dated June 24, 2010.

#### 9) DEPARTMENT OF TRAFFIC ENGINEERING

- a) Comply with the attached Public Works-Traffic Engineering memorandum, dated June 10, 2010.
- b) Transfer all comments and conditions on Exhibit A dated July 13, 2010 to the corrected exhibit.

#### 10) FRESNO COUNTY ENVIRONMENTAL HEALTH

- a) Comply with the attached County of Fresno Department of Community Health memorandum, dated May 12, 2010.
- b) Provide proof that all requirements have been met prior to occupancy.

#### 11) CALTRANS

a) Consider the attached letter from Caltrans dated June 1, 2010.

#### 12) POLICE DEPARTMENT

a) Comply with the conditions from the City of Fresno Police Department detailed in the attached letter dated June 1, 2010.

#### 13) REDEVELOPMENT AGENCY OF THE CITY OF FRESNO

- a) Comply with the attached memorandum from the Redevelopment Agency dated May 17, 2010, which are as follows:
  - i) The project site identified in Application No. C-10-109 is located in the Freeway 99-Golden State Corridor Redevelopment Project Area and is subject to all requirements of the adopted Redevelopment Plan.
  - ii) The Redevelopment Agency does not object to the proposed renovation and conversation of the former Vagabond Motel into a secure/gated Vagabond Inn/"Save The Children" transitional housing community that will consist of 62 residential units, 1 resident manager, 5 conference rooms, 1 medical room, 10 offices, 5 meeting rooms, 4 rooms for children and study, a chapel, a dining room, support activities, and playgrounds. Agency support of this project is conditioned on the ability of the development to be in conformance with all requirements of the Redevelopment Plan and the C-6 (Heavy Commercial) and C-6/UGM (Heavy Commercial/Urban Growth Management) zone district and Section 12-304 (including subsequent applicable Sections) of the Fresno Zoning Ordinance.

- iii) Specific attention should be given to ensure the identification of any potential historic significance of the buildings by the Development Department (Historic Preservation Manager), especially if the historical integrity and appearance of the structure are proposed to be retained.
- iv) Any existing residential amenities such as (usable) common open space and/or recreation areas shall be retained for use by the residents of the living units to ensure a compatible and identifiable (residential) living environment.
- v) All street improvements, public right-of-way encroachments and code requirements identified by the City of Fresno for this development shall be implemented, as required by the City, before the final approval of the development.
- vi) A minimum 20-foot landscaping setback with irrigation shall be provided along the frontage of North Parkway Drive.
- vii) Required street trees and street improvements on and adjacent to the project site shall be completed to the satisfaction of the Public Works and the Planning and Development Departments of the City of Fresno before the final approval for occupancy of the buildings.
- viii) The design and installation of any proposed pedestrian sidewalks, approaches and driveways on and adjacent to the project site shall be in conformance with City of Fresno Street Standards and be compatible with required traffic circulation routes and existing street patterns.
- ix) The construction or repair of sidewalks and tree wells on the frontage of North Parkway Drive shall be in conformance with adopted city standards.
- x) Dense landscaping and specimen size street trees are recommended in the new and existing planting areas and tree wells on the project site, especially along the frontages of North Parkway Drive to enhance the visual character of the buildings and the street frontage.
- xi) All streets trees shall be in conformance with the City of Fresno recommended list of street trees.
- xii) All required parking spaces on and off the project site shall be developed in conformance with the requirements of the Fresno Zoning Ordinance, especially the requirement for 50% shading.
- xiii) Any fence and related gates installed along the frontage of North Parkway Drive is recommended to be (constructed of) wrought iron.
- xiv) All outdoor equipment and storage areas on the site shall be screened and secured as per requirements of the Fresno Zoning Ordinance.
- xv) The overall development shall designed to provide an integrated visual appearance and a comprehensive environment where the integrity and character of each of the individual

(residential and non-residential) land uses are not compromised or lost in their integration.

- xvi) Due to the location and the unique land use environment of the proposed development, specific attention should be given to any comments and/or appeals on the issuance of this application, especially those concerning the association, inter-action and impacts of the mixed land use on the project site.
- xvii) Approval of this entitlement applies only to the development identified in Application No. C-10-109, any modifications or additions shall not be allowed without the modification of this Conditional Use Permit Application with prior approval from the City of Fresno Development Department and the Redevelopment Agency.
- xviii) The proposed project shall be developed in accordance with the Operational Statement and all specific Plans (or as revised by the City of Fresno) submitted for Conditional Use Permit Application No. C-10-109.
- xix) The Agency reserves the right to reconsider the issuance of Conditional Use Permit Application No. C-10-109 should the City of Fresno or the Redevelopment Agency of the City of Fresno receives any complaints about the maintenance of the development and its operations (facilities) inconsistent with the conditions and requirements of this entitlement can result in a recommendation to the City of Fresno to revoke the entitlement application.

#### PART F - MISCELLANEOUS

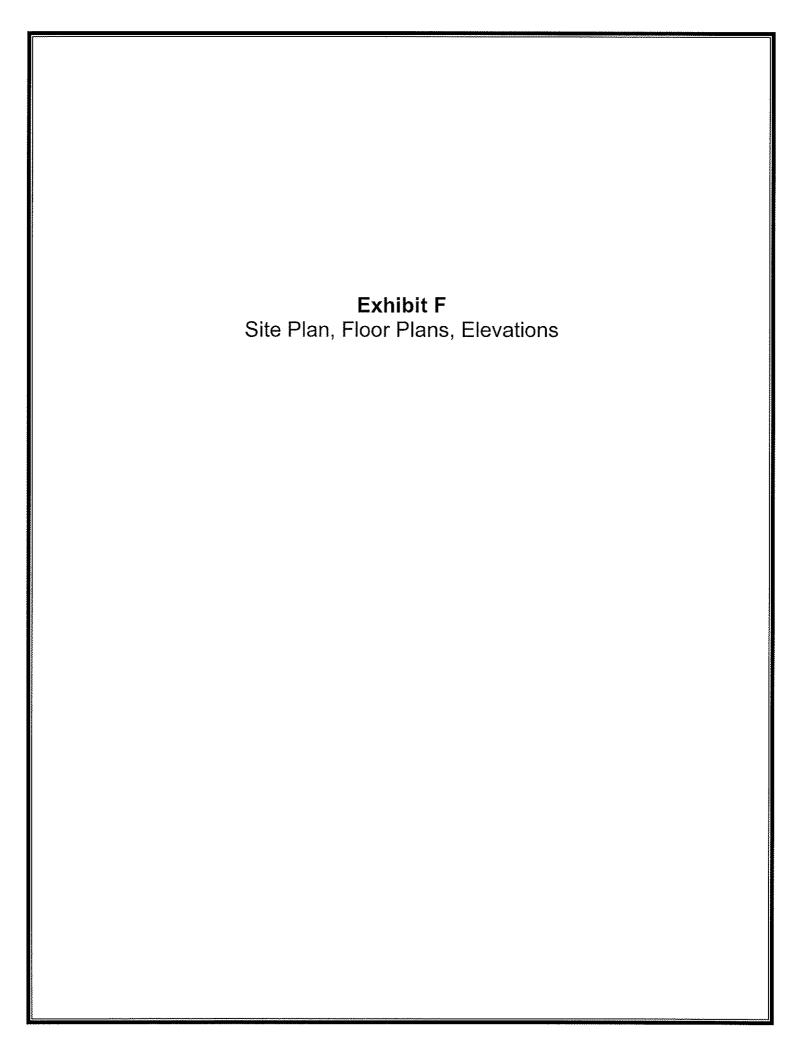
- 1) Approval of this site plan is contingent upon the submittal of corrected exhibits showing all existing/proposed on-site conditions as reflected on all exhibits and the following:
  - a) Comply with the operational statement submitted for this project (undated) titled "Rescue the Children, Temporary Supportive Housing Facility" and the Addendum to this operational statement dated May 27, 2010.
  - b) Provide shuttle services from the subject site to nearby bus tops when needed. Please also provide regular shuttle services to residents to nearby services such as grocery stores on a regular basis.
  - c) Hold quarterly "Neighborhood Open House" meetings at the project site (during early evening hours at regularly scheduled times). These meetings will be noticed and will provide the public with an opportunity to comment on the operation of the facility, that physical condition of the site, and/or issues that may affect the entire area near the project site. Any member of the public will be welcome at any of the "Neighborhood Open House" meetings. The applicant will compile all of the information gathered at the meetings and include a written summary in the quarterly reports that will be made to the Fresno Police Department and/or any other interested Department at the City of Fresno.

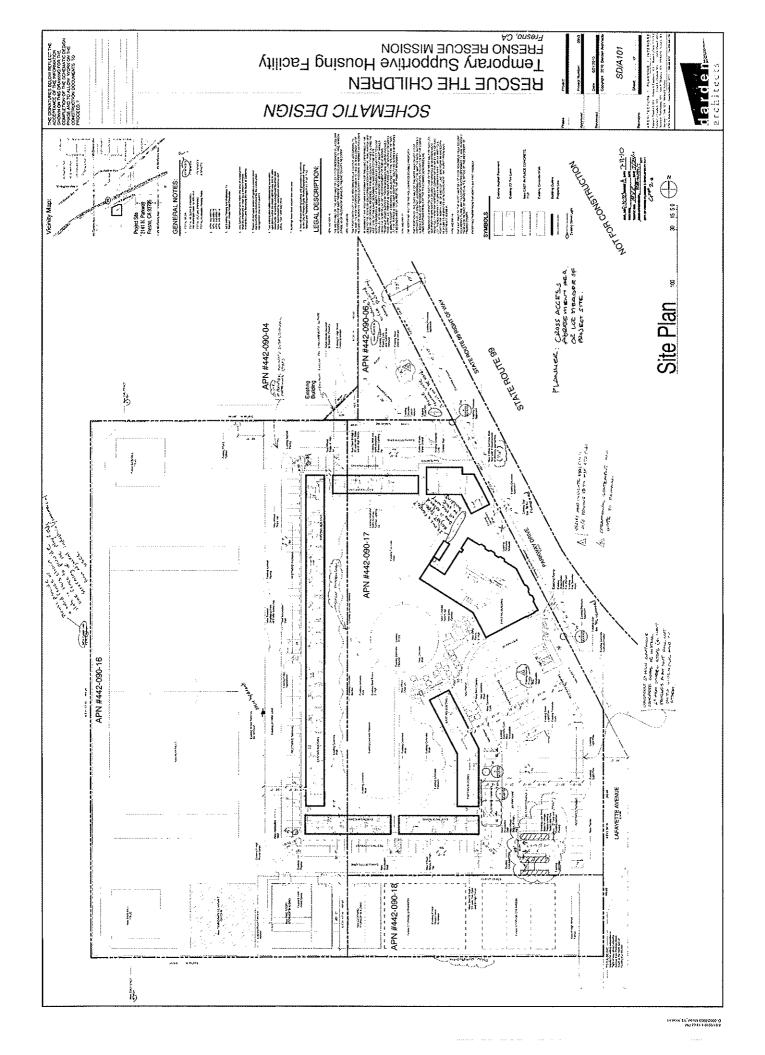
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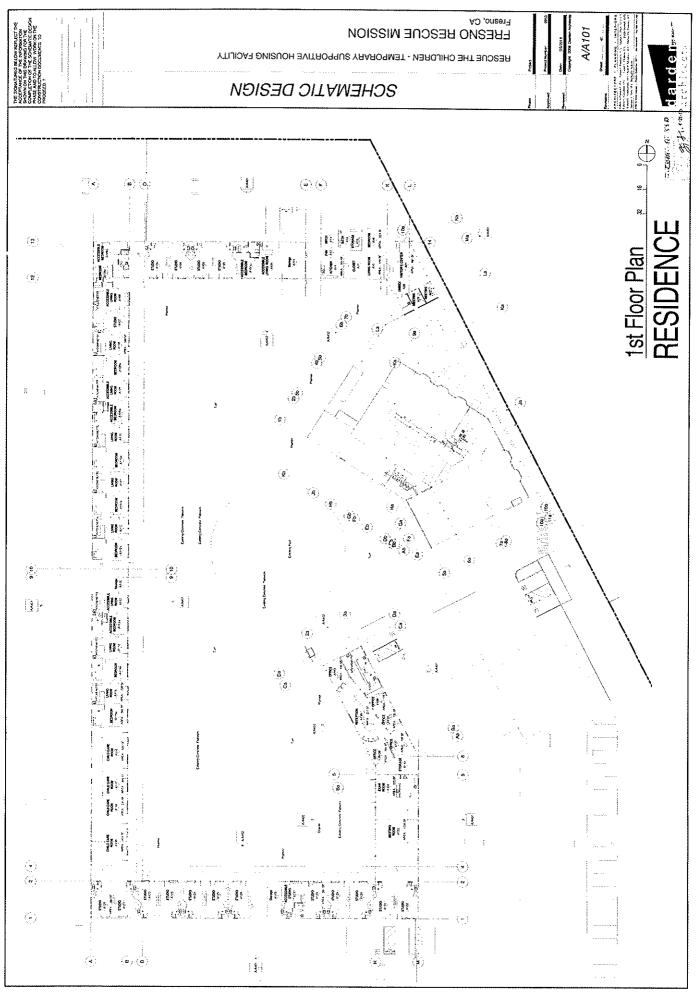
For the first three meetings, the notices are required to be sent to residents and property owners within 1500-feet of the subject site and interested parties. After this, the notices are only required to be sent to owners and residents within 500-feet of the subject site and to those who expressed interest in being involved in the meetings (those who attended previous meetings or expressed concern or interest regarding the facility in some other manner). The neighborhood shall also be provided with a phone number of the property manager to call if they have any concerns.

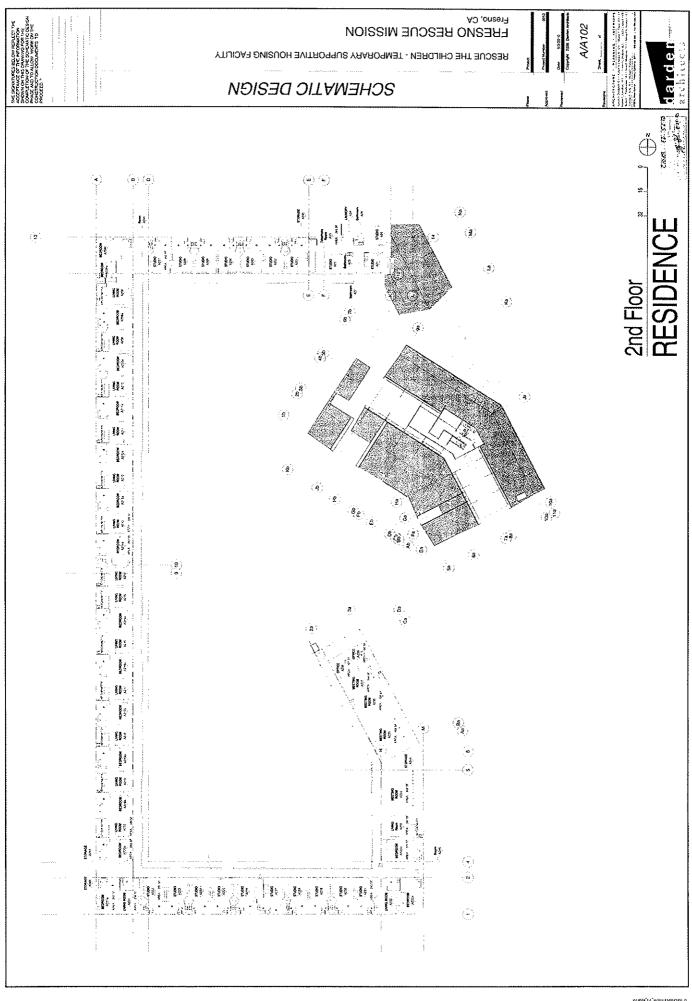
- d) The facility must have a live-in property manager. This property manager may have other responsibilities, but is required to ensure that he or she responds to all concerns and complaints from the residents of the facility and from the public.
- e) The applicant is required to keep a record of any incidents in which security is called for an onsite or offsite disturbance at the facility. This log will be required to be made available to the City of Fresno upon request and made available to the public at the quarterly neighborhood meetings.
- f) Submit a plan describing how the children who will reside at the facility will safely get to school.
- g) Ensure that there is adequate pedestrian lighting from the facility to Clinton Avenue.
- h) Screen all roof-mounted equipment from the view of public rights-of-way. **Depict all mechanical equipment on site plan and elevations.**
- i) If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately. (Include this note on the site plan.)
- j) If there are suspected human remains, the Fresno County Coroner shall be immediately contacted. If the remains or other archaeological material is possibly Native American in origin, the Native American Heritage Commission (Phone: (916) 653-4082) shall be immediately contacted, and the California Archaeological Inventory/Southern San Joaquin Valley Information Center (Phone: (805) 644-2289) shall be contacted to obtain a referral list of recognized archaeologists. An archeological assessment shall be conducted for the project, the site shall be formally recorded, and recommendations made to the City as to any further site investigation or site avoidance/preservation. (Include this note on the site plan.)
- k) If animal fossils are uncovered, the Museum of Paleontology, U.C. Berkeley shall be contacted to obtain a referral list of recognized paleontologists. An assessment shall be conducted by a paleontologist and, if the paleontologist determines the material to be significant, it shall be preserved. (Include this note on the site plan.)

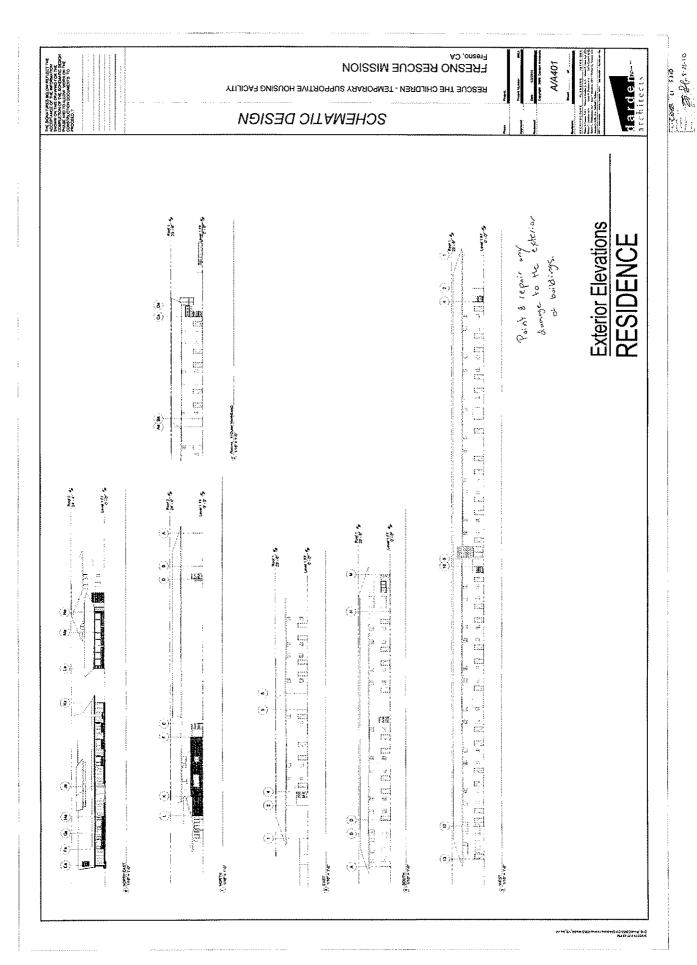
All discretionary condition of approval will ultimately be deemed mandatory unless appealed in writing to the Planning and Development Department Director within 15 days.

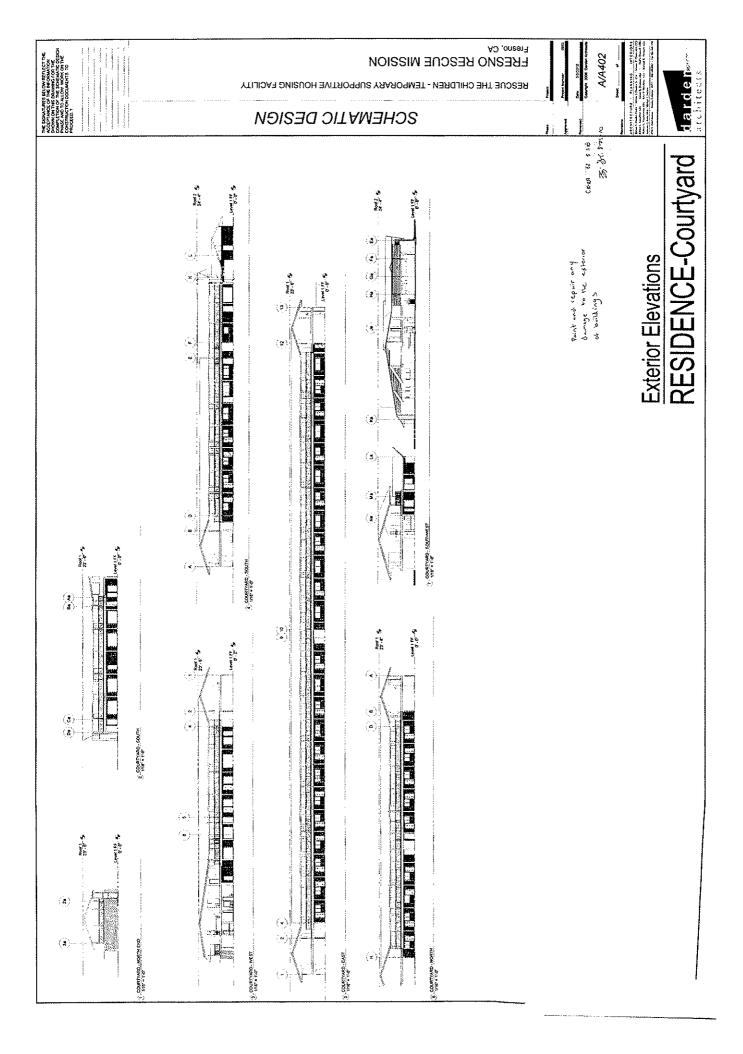






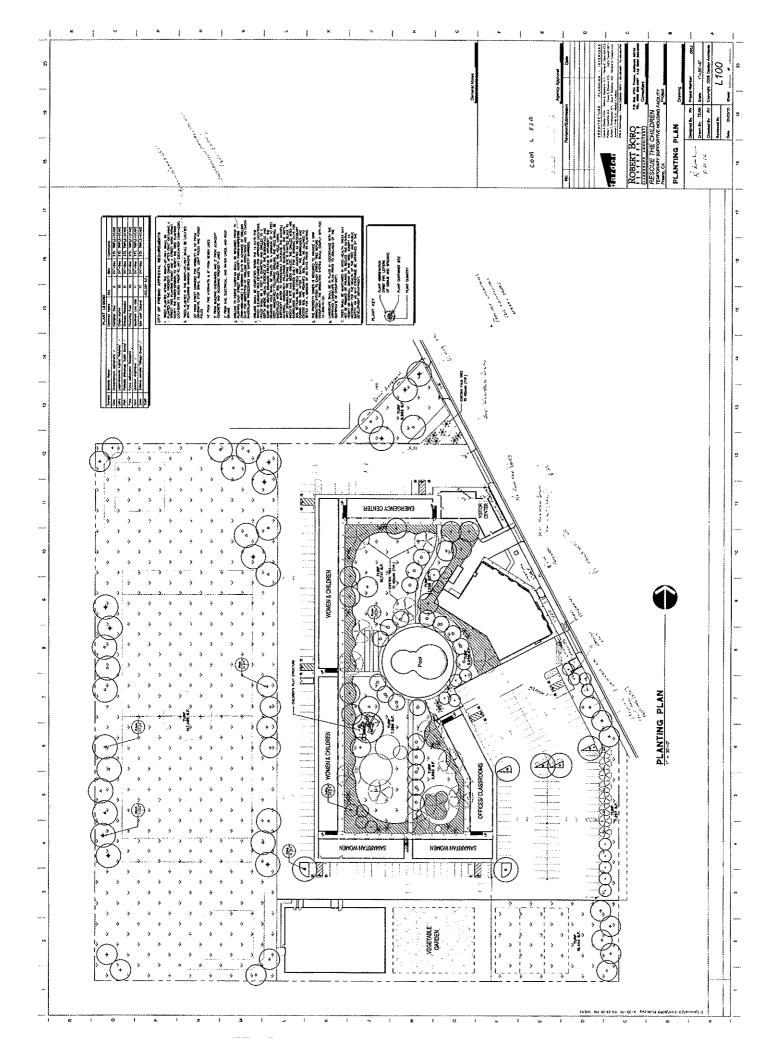


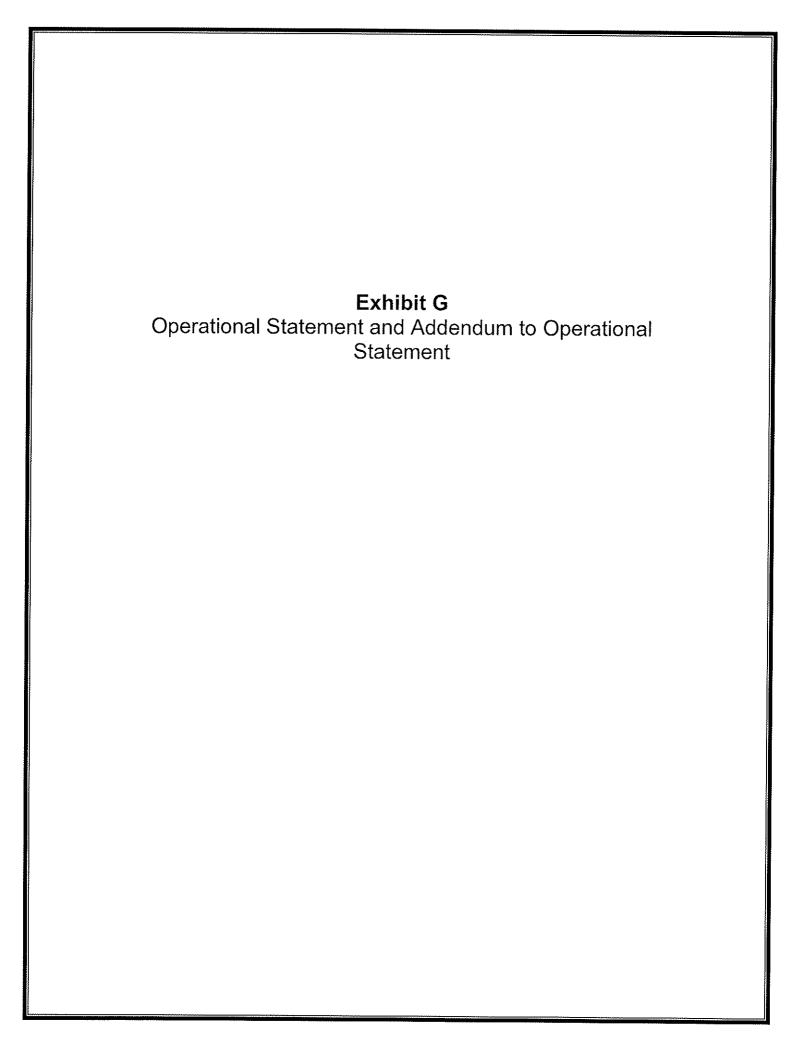




FRESNO RESCUE MISSION Fresno, CA TEMPORARY SUPPORTIVE HOUSING FACILITY olarden: SCHEMATIC DESIGN (5) (₫) €2:--(4) (<u>a</u>)--(R)8 (1) 8 R (4) (3) ı. 8 8 8 3 æ. WEST SOUTHWEST **Exterior Elevations** 

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## C-10-109 - Operational Statement

#### Rescue the Children, Temporary Supportive Housing Facility

Operational Statement for a the new Rescue The Children, Women's and Children's Center covering, +/- 9.3 acres of property located at the former Vagabond Motel location, 2141 Parkway, Fresno, CA 93705. The property encompasses APN's # 442-090-06, 16, 17 and 18 and is currently zoned C-6 (Heavy Commercial). The existing site has 111 motel rooms, a resident manager unit, Restaurant, lounge, dining room and an Office/Lobby, on approx. 56,000 sq. ft., with +/- 200 parking places.

The proposed development will consist of 62 residential units, 1 resident manager unit, 5 conference rooms, 1 medical room, 10 offices, 5 meeting rooms, 4 rooms for childcare and study, Chapel, Dining Room, support activities, and playgrounds. Offices and conference rooms would be used for residents, and Rescue the Children personnel.

#### Operational Narrative:

Plans call for a renovation of the former Vagabond Motel into a Temporary Supportive Housing facility benefiting women with "at risk" children, and those preparing to reunite with their children. Most of the targeted families have addiction issues and/or abuse issues, and face tremendous obstacles. This facility is specifically designed to provide a place of hope and healing, a place that helps them meet their spiritual, emotional, educational and physical needs. We believe that every individual's journey back to self-sufficiency is dependent upon a personal relationship with God and transformation from the inside, rather than conformity.

#### THE NEED

According to the Ten-Year Plan to End Chronic Homelessness 2008 – 2018, the City & County of Fresno estimates:

- There are over 488 homeless families on any given night in Fresno County.
- The total number of persons in these households (adults and children) is 1581 (emergency, transitional & unsheltered).
- In July of 2008 the unemployment rate for Fresno County was 9% compared to the state rate of 6.9%.
- 48% of the homeless population in Fresno County consists of family units.
- 49% of the women who are experiencing homelessness are victims of Domestic Violence, and 85% of these women have children. This is the primary target.

#### **OUR PLAN**

Our intent is to develop a facility to support emergency care, basic program and acute care based on caseworker assessment. It is expected that the primary ministry will be to the children of single moms, teen moms, and families of men who are enrolled in the Fresno Rescue Missions Academy for drug and alcohol addiction. The goal is to help the whole person in recovery. This includes providing tools to fill the educational gaps that so many of these families have. In our Educational Learning Center, each person will receive diagnostic testing and be placed in the program based on their need. This self-paced, computer-interactive approach to education allows students to move from their accessed starting place to the point of their highest level of success. Residents may work toward earning a GED or apply for college entrance as part of their academic plan.

#### KEY COMPONENTS OF THE FACILITY

- 1. Facility to be a secure/gated community with apartments, offices, meeting rooms, pool, chapel, warehouse, etc.
- 2. Automobile parking will be restricted to "public access" areas.

- 3. 24-hour security with monitored surveillance, and with guards on nights and weekends.
- 4. No Drugs, Alcohol or Smoking on premises.
- 5. Visitation Center for non-custodial parent and family.
- 6. Community kitchen facilities for cooking and meal preparation classes.
- 7. Dining hall and community room for large meetings, and community events.
- 8. Meeting rooms for interviews with attorneys, police, social workers, mental health workers etc.
- 9. All facilities to be a "kid friendly" environment.
- 10. Medical room where CHDP County Health Department physical exams can be done, immunizations given, referrals made to other health professional.
- 11. Open areas for playfields

#### KEY COMPONENTS OF THE PROGRAM

There are three primary components of RTC, Inc. providing up to 30 days of Emergency Care/Service for women with children, a longer-term residential family rehabilitation program for up to six months, and a place for new beginnings to prepare women to be reunited with their families. The program is personalized, enabling this population to break free from self-destructive behavior, based on their individual issues and needs. Each woman will design her own program with their case manager, combining counseling, classroom instruction and personal responsibilities to break old habits and build self-worth and self-respect. Bible study is an integral part of this curriculum.

Training, Education, Employment and Life Skills will be a major focus for families at RTC, Inc. The program allows families to get job training, educational, or a job in the community to become better prepared to support themselves and their families. All this while maintaining stability and their personal and spiritual walk, so they can once again be a productive member of society.

RTC, Inc. will offer both, full and part time components, allowing residents flexibility to meet their individualized needs. Some will be working or in job training, while others will require a full-time classroom schedule. Program includes:

- Defined structure of program will be individually tailored after initial case assessment but could last from one to six months dependent on issues to be resolved. There would be the possibility of extensions if deemed necessary by the case manager and/or social worker.
- 2. Parents and children would be in the program in individual (age appropriate) settings, and with each other.
- 3. Staff would be comprised of professionals in Social Services, and a new mental health program staffed with Master Social Worker (MSW) staff, including; interns, clinicians, and support staff. Working with the County of Fresno, organization would also provide evaluations for the emotional needs of the children and their parents.
- 4. Classes for parents and children at Center to be provided in Life Skills including, but not limited to:
  - Money Management Budgeting and handling finances (how to handle bank accounts).
  - · Parenting Skills Growing Kids God's Way.
  - · Housekeeping.
  - Computer education.
  - Menu planning, meal preparation, buying groceries, etc.
  - Healthy relationships: Domestic violence and anger management classes for children and/or parents, Emotional Freedom, Boundaries, etc.
  - · Recovery classes.
  - Literacy training and ability for parents to obtain their GED.
  - Employment Readiness Job training; provide avenues for employment.

- · Child care/Daycare provided for families working.
- Physical fitness.

#### At RTC, Inc., all family members participate in:

- Qne-on-one case management.
- Weekly Bible studies.
- Minimum of two Chapel Services per week.
- · Weekly Good News Clubs for children.
- · Individual spiritual direction.
- · For children of school age, after-school tutoring.
- · Recreational opportunities such as swimming, hiking and bicycling.
- Education and Career development in a supervised Learning Education Center with 25 or more hours of college, job training, or employment each week (if not employed).
  - o The Basics reading, writing, arithmetic.
  - o Finances banking, budgeting, financing.
  - o Transportation bus schedules, car insurance, car loans.
  - o Positive work habits -- goal setting, problem solving, conflict resolution.

#### SUPPORT SERVICES:

- Accommodations and meals for up to 36 family units initially and 50 women w/o children.
- Clothing, personal care and hygiene items.
- · Public school enrollment for children of school age.
- · After school tutoring program.
- · Professional counseling.
- Individual case management.
- · Christian support groups and classes.
- · Bible studies and group discussions for adults and children.

#### Maximum anticipated residential occupancy:

- 86 Adults (50 SM, 14 emergency, 22 long term care)
- 68 Children (28 emergency, 40 long term care)

Anticipated residential occupancy (80%)

#### Staffing:

- · Children Services Director
- Women's Director
- Resident Manager & Emergency Shelter
- · Master Social Worker (MSW) and interns
- Case Managers (2)
- Chaplain
- Children's workers (4), including pre-school for those not in school. Hours available 6 AM to 6 PM. Monday - Friday
- Volunteer Coordinator
- Maintenance and Grounds
- Office Staff
- Food Services Director and support staff
- · Security supported with cameras, alarms and monitoring

Room utilizati	ion		People
<u>Resident Man</u>	ager "		
1 one bedroom	unit with Living Room and Kitchen	(アメ1225mg	2
Emergency S	helter		
	n unit with kitchenette and bath tments with kitchenette and bath		6 36
Women's and	Children's Center		
6 studio apartn 17 one bedroo	4 child care and study rooms (encompassing 6 current units) 6 studio apartments with kitchenette and bath 17 one bedroom units with kitchenette and bath 2 two bedroom units with kitchenette and bath		12 41 10
Samaritan Wor	<u>men</u>		
	n unit with kitchenette and bath (for ov Iments with kitchenette and bath	ernight staff)	1 50
Administratio	<u>n</u>		
	raining rooms (2 one units, 2 two unit apartments with kitchenette and bath		2
Total maximu Total women			160 89

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### <u>Addendum – May 27, 2010</u>

# Rescue the Children, Inc. Temporary Supportive Housing Facility Project # C-10-109

#### Areas of concern that came up during of comment time period:

#### Program Clarifications:

- o Strictly a Women's & Children Facility "NO MEN in any program"
- o There will be "No" court appointed residents in any of the (3) programs (Family Shelter; New Women's & Children Program; Samaritan Women)
- O None of our program are <u>half-way house program</u>, all individuals will be required screening before they are accepted into our program (see below screen process).
- o The property has been vacant since October 2009

#### The primary ministry at the Parkway location is:

- New Ministry to Women and Children outlined in the operational statement. Women and children in this facility will come from a variety of sources, including working with the County of Fresno for people they have in the Cal-Works program, selected wives and families of men who are in our Academy Program at the Mission and community referrals. This program will also be used for reuniting Women who have lost due to unfortunate choices can be supervised in the reification process.
- ✓ The Emergency Family Shelter offers temporary shelter for families (mother and her children) which includes: warm beds, food, clothing, and personal care, referrals to other agencies that can assist them, and most importantly love and hope through the teaching of Jesus Christ. Emergency Family Shelter is a 30 day or less transition, intended for people who have lost their housing for a variety of reason.
- ✓ Samaritan Women is an 11 year program for women who had been previously incarcerated. Obviously many of these women will have probation or parole issues. The Fresno Rescue Mission absorbed the Samaritan Women program January 2009 and operates two houses located at 3178 Rialto, and 1293 N. Nan Ness in Fresno, with total capacity of 12 women. I am not aware of any calls for police services to either of these locations. Both homes have "House Managers" to oversee the residents when they are not working or in classes. Women are not accepted into this program without screening (see below) and personal interviews.

#### Screening Process:

Our screening process is through in that we do not accept women who are on psych medications, nor those who have a violent or arson history. Women who come to our Samaritan Women program come to us in a variety of ways which include the following:

- Pen Pal correspondence program for women in jail or prison
- People hear of us in the community or through our newsletter that goes to over 1,300 women
- We conduct Bibles studies in Fresno County Jail and Valley State Prison for Women.
- Fresno County or Federal Probation
- Parole or PACT meeting we attend every other week as a community resource
- Referrals from jail and prison chaplains and social workers
- Community or organizational referrals, including the Fresno Rescue Mission

To be accepted into our program, the prospective resident must be interviewed by a Case Manager, complete the application, be interviewed by our Program Director and participate in a panel interview. In addition, we check on any reference. This could include chaplains, social workers, church, and or any previous programs they have attended.

Since Samaritan Women became part of the Fresno Rescue Mission, over half of the women enrolled are women with children. Some of these women have family members or others who have committed to care for their children during their time with us or their children are being cared for through Family Court. We have had some women enroll but leave, for children.

#### Police & Physical Security:

We have not contracted with any Security Firm, but have had discussions with John Turner, from Turner Security.

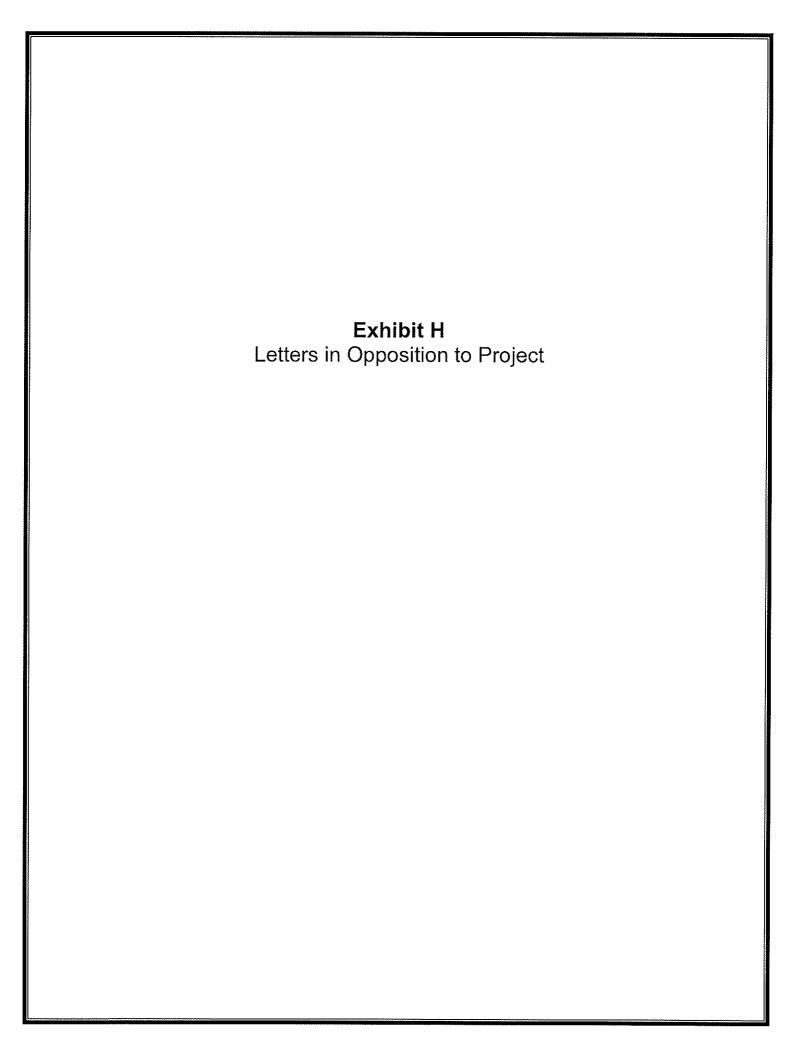
- As we have not had they types of security issues which would necessitate a "state licensed uniformed" security company or "contract policing," we only intended to develop security employees so we can have at least one security guard (trained by Turner, or similar firm) 24 hours a day. This would be supplemented with increased lighting and cameras.
- We are also budgeting to install 8' fencing around the entire parameter of the property, creating the equivalent of a gated community.
- Gates would be installed and other than maintenance vehicles and emergency vehicles, vehicles would only be allowed in the designated parking area(s).
- Since most women at this facility will not have automobiles, we would not anticipate that more than 60 cars will be parked at the site during normal business hours. In addition, we anticipate 2-3 Deliveries per week, with most deliveries be coming via of Fresno Rescue Mission vehicles from our G Street location.

#### Transportation:

o Residents in all three ministry programs will rely on shuttle services from our site (which is to be scheduled) to local bus lines. Some residents in the family shelter may have own vehicles.

#### Public Health Issues:

0	are currently in compliance with ALL Dublic Health in a set of G	We
	are currently in compliance with ALL Public Health issues with the County of Fresno here our mission owed site (safety, health & food service).	at all
0	the 2141 North Parkway Drive site we will be removing the existing spa	At
0	to operations medical room will be inspected so we meet all the standards of California Department of Health, Medical Waste Management Programs.	Prior
Reside	ential Statics:	
0	Apartments for Women & Children	58
	Emergency Family Shelter – average population: 11 women 22 children	11
	Women & Children Center – average population: 34 women 78 children	34
	Samaritan Women – average population 30	13
0	Staff	25
0	Staff of Weekends	2
0	Volunteers Weekdays	10
0	Volunteers Weekends	20
0	hour security	24



#### Mayor Ashley Swearengin:

First I would like to say I was born and grew up in the Addams area and have continued to reside here.

I am writing in regards to the Vagabond Motel being turned into a home for homeless women and their children. I realize they need a place to live and help in rehab, but I am tired of all these people being dumped in our Community. We had the Hacienda shoved down our throats even though we attended many meetings and voiced our opinions. It was approved anyway. I understand that they have plenty of room there to take in women. You have the Fresno Motel next door to the Vagabond that is filled with pimps, prostitutes, and druggies. Along with that, there is Motel Dr. and Park Way Dr., which have the same type

May 10-16th I attended workshops regarding the revitalization of this and other areas and this problem was of great concern for the people who live in this area and attended the meetings. There is great concern for the children in this area, let alone adding more children to the Jane Addams School.

On May 20th I attended a meeting with Larry Arce at the Vagabond Motel. There were only 3 people from our community, because no one knew about the meeting. The 3 were my self and 2 of my neighbors, because I found out about this meeting by accident. There were several other people there, whom I presumed were plants, because none were from the community area. There was a gentleman there from Granville Homes who was for the project, however I never heard him say one word about building any Grandville Homes in this area. I presume this area is not good enough for their homes.

The crime rate, drug dealings, prostituting and pimping in this area is bad enough without adding to it. Please consider placing these women in another part of Fresno, why does it always have to be our area?

These concerns are not only mine, but also many of my neighbors.

I will be out of town until July 25th, however you can reach me at 559-960-3127.

Thank you for taking my plight under consideration.

Sincerely,

Lanella Hare

964 N. Monte Ave

Fresno, Calif. 93728

Ph: 559-237-3256

559-960-3127



August 16, 2010

John Dugan, Director Planning and Development Department City of Fresno 2600 Fresno Street, Room 3065 Fresno, CA 93721

By fax to 498-1012 - Attention: Bonique Salinas

RE: Conditional Use Permit Application No. C-10-109 Fresno Rescue Mission

#### Dear Mr. Dugan:

I write as chair of the Downtown Neighborhoods Community Advisory Committee (DNCAC). As you are aware, there is currently a community plan in development for the neighborhoods ringing downtown, including the Jane Addams neighborhood where this particular project is sited. I have reviewed the staff report, and have spoken at length with Rev. Larry Arce, the project proponent. I have three concerns, which I respectfully bring to your attention:

- 1) The project is inconsistent with the expressed wishes of many neighborhood members, as memorialized in the working papers generated during the Community Plan process. In particular, in light of the hyperconcentration of homeless and transition facilities in the area, community residents have requested that the plan "distribute homeless and housing services throughout the entire City of Fresno and surrounding region." I understand that a draft Policy Summary Report is scheduled to be released within days; if this Community Plan process is to be credible, project approvals during its pendency should at least be informed by its policies.
- 2) Rev. Arce, the executive director of project proponent Fresno Rescue Mission, is a member of the DNCAC. Committee responsibilities include input on issues related to the plan, making a recommendation to the Planning Commission and City Council regarding the plan's content, and acting as a liaison among property owners, residents, community members, business owners and the City.<sup>2</sup>

<sup>1</sup> Downtown Neighborhoods Community Plan, Draft Charrette Catalogue; *cf.*, comment letters by Lanella Hare and Downtown and Community Revitalization Department (Craig Scharton and Elaine Robles-McGraw. <sup>2</sup> DNCAC Bylaws, Art. III, §§ 1.a, 1.b.

North Van Ness

ivorth van ivess

Fresno, California

93728

844

559/ 442-3111

pm097@csufresno.edu

John Dugan CUP Application C-10-109 August 16, 2010 page 2

Although Rev. Arce vigorously disclaims any actual conflict of interest, and the City Attorney's Office agrees that he is technically correct, Rev. Arce's membership on the Committee gives at least the appearance of impropriety as he simultaneously advocates for a project in which his organization has a substantial financial interest. If this Community Plan process is to be credible, any approval of this project must therefore be excruciatingly transparent and thorough.

Such transparency must include: full disclosure of proponent contacts with the City (dates, times, locations, participants and substance) — not only with staff, but especially with Planning Commissioners and City Councilmembers; and a thorough explication of how and why the already-documented impacts of facilities such as this, and the residents' expressed preferences to diversify uses in their area, are less compelling than claimed policy considerations making this particular project so immediately essential that it should be permitted in this location at this time.

3) I have reviewed the Environmental Assessment for the project, and recognize that it does not constitute the entire staff report. I am only concerned that the tenor of the EA—that the project is technically unobjectionable—may lead decision makers to conclude that the project is somehow entitled to approval. In fact, as a CUP application, the decision makers must be able also to make the finding required by Fresno Municipal Code § 12-405.A.2.c, that "[t]he proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located." I would respectfully submit that this finding is going to be difficult to make in this particular area, if the decision makers are in fact considering (as I believe they must) the intensity of similar uses in the area and their impacts on the surrounding neighborhoods.

Rev. Arce's position during our conversation on Friday was, essentially, that this property is completely unusable and will remain a blight on the neighborhood unless the Fresno Rescue Mission project is approved. He effectively gives us an early test of this Community Plan process: the Planning Commission and City Council (not to mention the community!) have a right to know how the Plan intends to meet the very difficult twin challenges of prior criminally negligent planning decisions and of the economic realities those decisions have created. Can the Plan plot a path away from the ghettoization of transitional and homeless housing, and its attendant effects? Is it really feasible, in this City where economic segregation is starkly obvious, to direct such uses to other, less-impacted areas of the

John Dugan CUP Application C-10-109 August 16, 2010 page 3

#### City?

Therefore, because the project may <u>only</u> be approved if the Planning Commission (and probably ultimately City Council) make a finding that it will not be detrimental or injurious, and because such a finding must be informed by answers to these questions about what the Plan actually will propose and how feasible its implementation will be, I respectfully request that the City impose a temporary moratorium on projects in the Downtown Neighborhoods Community Planning Area. I do not make this proposal lightly: I understand that even under the most benign of circumstances (which the current economic climate is clearly not), developers' investments in their proposals make delays a matter of significant additional cost.

However, project proponents' needs cannot continue to derail thoughtful, principled decisions targeted to City neighborhoods' actual best interests. It's time for the City of Fresno finally to commit to its planning process, which at minimum means not claiming to plan with one hand while creating with the other facts on the ground that defeat the goals and foredoom the implementation of such planning.

Please include these comments in the administrative record. Thanking you for your attention to these matters, I remain,

Very truly yours

Patience Milrod

PM;eh

cc: Rev. Larry Arce, by email to larce.frm@att.net Doug Reitz, Vice-Chair, DNCAC John Fox, Office of the City Attorney Moule & Polyzoides

#### **Bonique Salinas**

From:

Elaine Robles-McGraw

Sent:

Tuesday, July 13, 2010 9:47 AM

To:

Georgeanne White; Jerry Dyer; Carl Jones; John Dugan

Cc:

Craig Scharton; Wilma Quan; Bonique Salinas; Gregory Barfield; Kahliah Laney

Subject:

Vagabond CUP C-10-109

Here is an we received yesterday from Carissa Phelps. It is regarding CUP C-10-109, The Vagabond Motel. Please let me know if you have any questions. If you'd like to contact Carissa directly, her phone number is: (801) 850-3918. Her email address is <a href="mailto:carissa76@gmail.com">carissa76@gmail.com</a>.

Thank you.

Elaine

From: Carissa Phelps [mailto:carissa76@gmail.com]

Sent: Monday, July 12, 2010 3:29 PM

To: Elaine Robles-McGraw

**Cc:** Craig Scharton **Subject:** Vagabond CUP

Hi Elaine and Craig,

I read through the CUP and operational statement for the Rescue the Children's Vagabond conversion.

My first thought was that there was no statement about the current conditions in the neighborhood -- violent crimes, shootings, drug busts, prostitution, etc. The applicant mentions hiring private security, but will they be properly trained? Will the private security guards armed/unarmed, will unarmed guards be safe in this neighborhood? In addition will the private security be mandated reporters of child abuse and neglect? Overall, there seems to be a lower concern for security, compared to the level provided in the Hacienda CUP. A final concern with regard to safety is that without actual PD on site there will be little to no transparency of incidents that occur within or around the property.

My second thought was that if this CUP is approved will council members be agreeing to something that looks great on the surface, but in fact is putting the residents and the neighborhood at increased risk? Without a complete picture of the number of police calls, types of calls, income levels in the neighborhood, number of transient residents -- can we truly understand the impact of this project on the community? Further, if the conditions are overlooked, is the city prepared to be liable for putting women and children in danger?

After speaking with Larry Arce and thinking through this proposal thoroughly I discussed it with friends. The following three questions were what we came up with for all parties:

#1) Would you put your children / grandchildren in this motel? During their most desperate times?
#2) Is it more important to save a soul, or save a community? In other words, will Rescue the Children work outside its 8 foot cement walls to protect children, women and families outside the facility?
#3) Will the facility have a positive impact on the Jane Addams community? (Is the project forward looking? Does it fit with the overall plan for the city?)

Below is a note from Janeal LeBaron, a survivor of prostitution, who has long been out of the life and has raised two sons. Janeal (aka Mama J) was able to get out of prostitution at the age of 32 and went on to earn a

bachelors degree. After her children were raised Mama J began working directly with OC Probation and currently volunteers with a day reporting program.

In addition to statements like these, I also have three Fresno residents who are interested in meeting with the mayor and city council members. They are also willing to talk at the city council hearing or Rescue Mission board meeting. They can each talk about a different aspect of this proposal. One is a formerly homeless woman who spent time in another Vagabond conversion in the late 80's, she is now earning her masters degree. The second is a young survivor who was in the Craycroft center and on Parkway. The third is a current resident in the neighborhood who can talk about the current conditions and the impact a project like this would have on his community.

It would be fantastic if you could pass this along to relevant members of your team, as well as the mayor and council members. I'm going to be in Fresno this week and will be trying to arrange meetings to discuss this further. It would be helpful to understand the status of the CUP. Will there be a chance to get this question to the mayor, then on to city council?

Thanks! Carissa cell (801) 850-3918

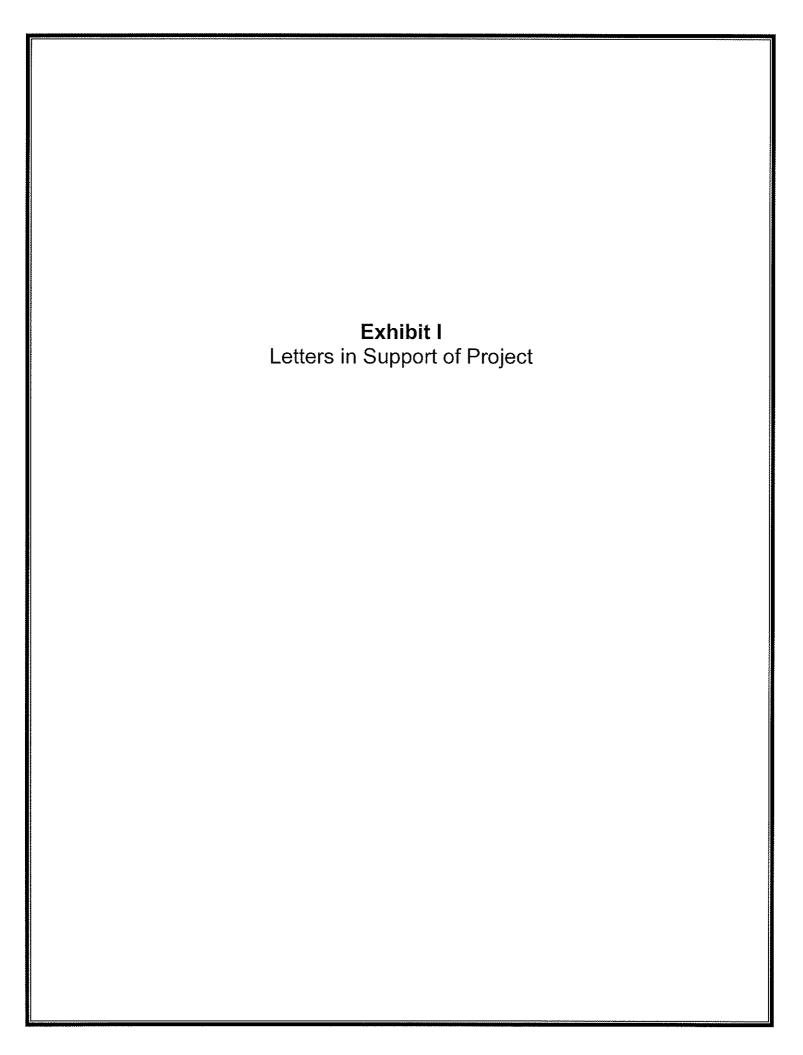
Dear Carissa,

Well, based on this video the project looks like a great project, however knowing what you told me about the environment surrounding this location I believe it is the old "too good to be true" situation. As I watched the video I realized not only would the children and women be at high risk when they leave the property, but just looking out the widow could expose them to things they should not have to experience. I know I turned a lot of tricks in parking lots/alleys/etc, (both day and night) right in plan sight of any body who happened to be at the wrong place at the wrong time and as long it wasn't a cop, I nor the trick cared. My guess is they (the rescue mission) are glamorizing this location because the financial cost is very low, however they are not mentioning that the cost of human wellbeing is extremely high, too high to even take a chance in my opinion. Children and woman who are in the process of transforming their lives need more that a roof over their heads! They need a positive, safe environment to heal. A place where they can regain hope, learn to trust and experience a NEW way to live. Keeping them in contact with that which they already know (i.e.; violence, crime, poverty, etc) will only further ingrain within them the idea that they can not escape the dysfunction.

When one is living a life of dysfunction they react to their outside environment and believe that is what is causing their pain. The truth is that the pain is within, which leads to a dysfunctional existence. It is not enough to simple say to them ... look inside ... because they don't know how and/or it is too painful. So they need to see concrete, tangible examples of a successful, peaceful, trusting lifestyle so they can begin the process of restoring hope. Basically, it is expanding their reality of what they are able to accomplish. This is not a guarantee of success, because everyone is in charge of their own success, but if one wants to increase the odds then not only does the inside need to be expanded but the external environment needs to be expanded as well.

- Mama J

Respect Love Encourage





## **CITY OF CLOVIS**

CITY HALL • 1033 FIFTH STREET • CLOVIS, CA 93612

July 14, 2010

Bonique Salinas Development and Resource Management Dept. Fresno City Hall 2600 Fresno Street, Room 3076 Fresno, CA 93721

Re: EA No. C-10-109 – CUP Filed by Jeffrey Roberts obo Fresno Rescue Mission

Dear Ms. Salinas:

As an active community leader, and as an individual who stands behind efforts in neighborhood restoration and urban renewal, I truly believe that lasting change occurs only when we invest in the lives of individuals, especially those plagued with adversity and despair. Because of this, I strongly support the vision of the Fresno Rescue Mission and their plans to convert the former Vagabond Motel, a landmark in our community located on N. Parkway Drive between W. Clinton and W. McKinley Avenues, into a secure and gated transitional housing facility. This expansion effort will not only welcome women with children from the Mission's existing programs, but it will also serve as the future location of their 'Rescue the Children' campus.

The proposed restoration of this property, outlined in the environmental findings, meets not only the desired vision of the Fresno City Council for redevelopment and restoration of blighted Fresno neighborhoods, but it also offers hope to the women and children of the community who desperately need to escape the bondage of addiction, generational poverty, illiteracy, abuse, and neglect.

Currently, the motel sits vacant. It abuts neighborhoods in desperate need of change. The Fresno Rescue Mission is an organization with a strong reputation of providing programming excellence, innovation and ingenuity, as well as fiscal and social accountability. The proposed development offers a win/win solution on all levels.

Sincerely,

Mathan Magsig/ Council Member



July 15, 2010

To Whom It May Concern:

I am writing in response to a Public Notice you had in the Fresno Bee on July 2, 2010 concerning a Conditional Use Permit Application No. C-10-109 filed on behalf of the Fresno Rescue Mission.

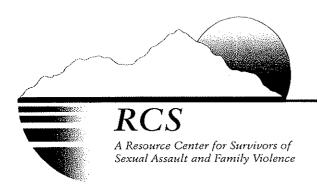
I am asking you to support the proposal to convert and rehabilitate the former Vagabond Motel to a gated transitional housing community. As a pastor in Fresno for twenty five years, prior to my current assignment, we worked with single mothers with children and understood the concern they had for the safety of themselves and their children. Finding a place to house them was always a constant frustration. This project will give many broken families an opportunity to heal and get their lives together where they can become productive citizens.

Over the thirty years that I have been in Fresno I had both watched and worked with the Fresno Rescue Mission and found that they have a proven record of integrity and compassion for providing housing, food and hope to those less fortunate. They will take a blighted area of Fresno and bring life and reconstruction to that area. They will become a great model to other organizations on what can be done to touch the homeless and hurting people of Fresno.

This project will have a major impact on Fresno. May I encourage the Planning and Development Department to quickly approve this Conditional Use Permit.

Roger Halvorson

Bishop



July 18, 2010

Fresno Resource Management Department City Hall 2600 Fresno Street – Room 3076 Fresno, California 93721

To Whom It May Concern:

It is my understanding that The Fresno Rescue Mission is proposing a new site in Fresno to build and transform the old Vagabond Motel area. What a wonderful endeavor and I am writing this to affirm their mission and to support approval of the new location.

As the Executive Director of Resource Center for Survivors (formerly Rape Counseling Service of Fresno, Inc.), I believe professionally that this is a very worthwhile cause and a program that is like no other in our community.

I respect and appreciate the work of Reverend Larry Arcey and his service to the community of Fresno, via the Rescue Mission. My office has referred many to the facility.

To speak to the Program, on a personal basis, I would comment that it is close to my heart. My grandson who is now 30 years old, having been addicted to drugs from the age of 15 – is now clean and sober for over 1 ½ years. He attended the Men's Program at the Mission and his life has been changed. He is now gainfully employed and a productive father and member of society!!

Respectfully yours

Shirtey Sanchez

Executive Director, RCS

(559) 497-2900

July 15, 2010

Rebecca Ray 4130 N Perry Way Fresno CA 93727

To Whom It May Concern:

I am writing in response to a Public Notice you had in the Fresno Bee on July 2, 2010 concerning a Conditional Use Permit Application No. C-10-109 filed on behalf of the Fresno Rescue Mission.

I am in total support of the proposal to convert and rehabilitate the form Vagabond Motel to a secure/gated transitional housing community titled "Save the Children". I have been an active citizen in our community for over 40 years and I am very much aware of the most pressings needs, one of which is to keep mothers with their children in a safe place and to bring healing to broken families.

Recently, I toured the facility and grounds and was over-whelmed by the potential there. The Fresno Rescue Mission has proven their integrity, compassion and heart of the city over many years of ministry and I don't have a doubt in my mind that they will maintain this facility with the utmost honesty and care.

I am encouraging the Planning and Development Department to, without reservations, approve this Use Permit.

Sincerely,

Rebecca Ray

(559) 291-7288

R 4130 N. Perry Way Fresno, CA 93727 Fresno City Resource Management Department, City Hall, 2600 Fresno Street, Room 3076 Fresno, CA 93721 Att: Bonique Salinas

#### Good Morning!

We returned from vacation yesterday and heard that the Fresno Rescue Mission is in the process of requesting permission to purchase about 9 acres of property along N. Parkway Drive that includes what used to be the Vagabond Motel. Even the name brings to mind a perfect place for the FRM to extend its care for the needy of Fresno!

We were also told there is a "Conditional Use Permit Application No. C-10-109" that has been filed already in support of this transaction for the Mission. As a family who has lived in Fresno County for 32 years, we would like to add our support for a favorable approvable. If this is to be a "secure/gated transitional housing community" to help mothers and children be safe from broken family situations, it deserves all the encouragement we can give the Mission.

Our family would like to state that we are in complete support of this project, and ask that your department does everything it can to hasten its completion.

The Knoch Family Carl W., Dorothy L., & Carl H. 2077 Vartikian Ave. Clovis, CA 93611-0654 (559) 298-6183 dlknoch56@sbcglobal.net August 28, 2010

Fresno City Resource Management Department C/O City Hall 2600 Fresno Street, Room 3076 Fresno, CA 93721

To Whom It May Concern:

I am writing in response to a Public Notice you had in the Fresno Bee on July 2, 2010 concerning a Conditional Use Permit Application No. C-10-109 filed on behalf of the Fresno Rescue Mission.

I am in total support of the proposal to convert and rehabilitate the former Vagabond Motel to a secure/gated transitional housing community titled "Save the Children". I have been a citizen in our community for over 50 years and I am aware that one of the most pressings needs is to keep mothers with their children in a safe place and to bring healing to broken families.

The Fresno Rescue Mission has proven their integrity, compassion and heart for the city over many years of ministry. I believe that they will maintain this facility with the utmost honesty and care.

I am encouraging the Planning and Development Department to, without reservations, approve this Use Permit.

Sincerely,

Therese Turano

3051 N. Sierra Vista, #108

Therese Durano

Fresno, CA 93703

(559) 252-0779

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http://www.radanovich.house.gov



## **H.S.** House of Representatives

Washington, DC 20515-0519

**GEORGE RADANOVICH** 

19TH DISTRICT, CALIFORNIA

September 13, 2010

Fresno Planning and Development Department

Fresno City Hall

2600 Fresno Street, Room 2076

Fresno CA 93721

EA No. C-10-109-CUP (Fresno Rescue Mission)

Planning 8-75.

To Whom It May Concern:

I write today in support of Fresno Rescue Mission's plans to convert the Vagabond Motel on N. Parkway Drive into a transitional housing facility. I fully support the important work of the Fresno Rescue Mission and believe that this expansion and restoration could further the reach of the programs. The expansion effort will provide a home for women and children already involved in the programs, and will additionally house the "Rescue the Children" Campus.

The Fresno Rescue Mission provides a vision and very real means to help women and children who are suffering and need a safe space to get away from addiction, generational poverty, illiteracy, abuse and neglect. I fully support this great and principled organization in its efforts to revitalize and restore a vacant motel.

George Radanovich

ncerely,

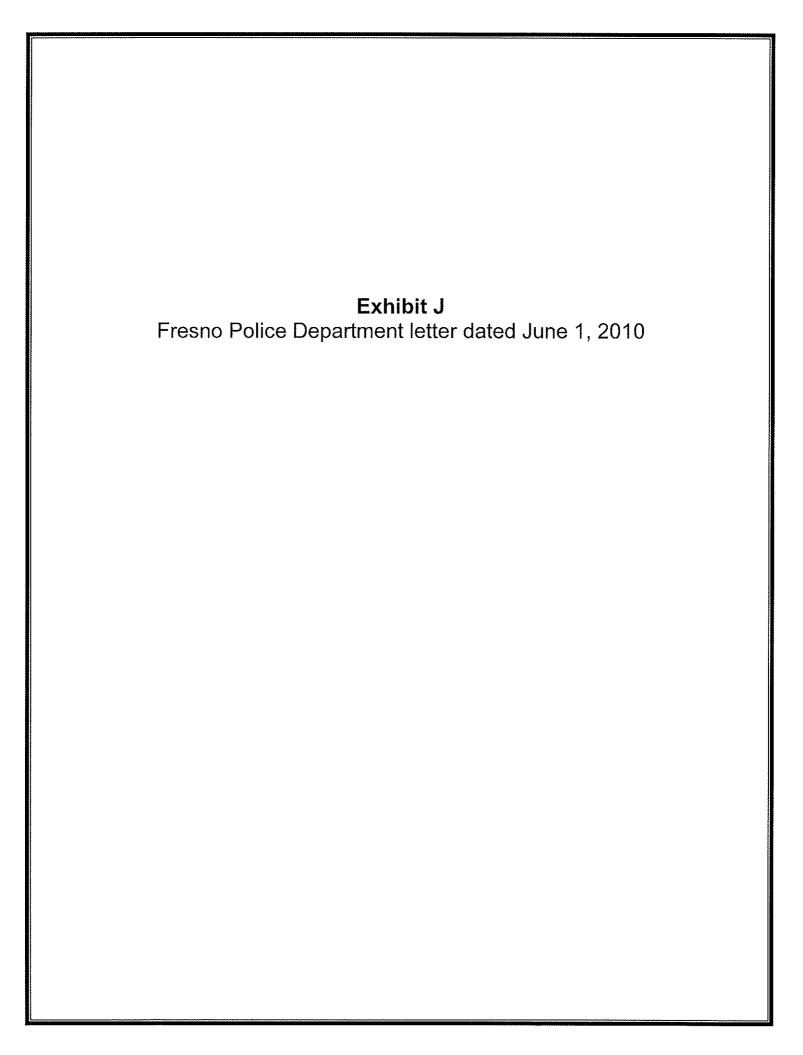
Member of Congress

DISTRICT OFFICES

1040 East Herndon, Suite 201 FRESNO, CA 93720 (559) 449-2490 Fax: (559) 449-2499

3509 COFFEE ROAD, SUITE D3 Modesto, CA 95355 (209) 579-5458 FAX: (209) 579-5028

> COMMENT LINE (202) 478-5389





### POLICE DEPARTMENT

Central Problem Oriented Policing

940 N. Broadway Ave. Fresno, Ca. 93728 (559) 621-6200 June 1, 2010

To:

Bonique Salinas

Planning and Development Division

2600 Fresno St. Third Floor

Fresno, Ca. 93721

From:

Officer David Rady P892

Central Investigations, Problem Oriented Policing

Fresno Police Department

Re:

Conditional Use Permit Application

2141 N. Parkway Drive Fresno, CA. 93705

A.P.N. 442-090-16, 17, 18

Applicant:

Bob Brown

310 "G" Street Fresno, CA. 93716

The Central Problem Oriented Policing Team has been assigned to investigate a conditional use permit application for a transitional housing community, which will be located at the vacant Vagabond Inn at the above location. This transitional housing is designed by the Applicant to house women and their children under the age of 18 yrs. The primary concerns for the Fresno Police Department at this location are the propensity of an increase of police calls for service, safety for the residences and surrounding community. It is our intention to support the operation of a business at the location and maintain an environment that is least likely to generate public complaints and customer calls for service.

Based on our findings we would not be in opposition of this application, provided the applicant agrees to the following conditional use restrictions:

### Fresno Municipal Codes.

The applicant will not violate Federal, State or local laws to include Fresno Municipal Codes, specifically, but not limited to:

FMC 10-105 (Noise ordinance)

FMC 10-708 (Unlawful Nuisances - High calls for police service)

### • Parking.

The applicant shall provide adequate off street parking spaces for use by residences and visitors of the premises. Adequate lighting will be provided for the parking areas as to discourage vehicle thefts and burglaries. Applicant will also monitor parking areas to ensure no illegal acts, drugs or alcoholic beverages are being consumed.

### Illegal Drugs.

The applicant will not allow illegal drugs to be sold, ingested, injected or inhaled in the building premises, on any adjacent property under it's control or parking areas.

### Food Vendors.

No food vendors are to be allowed outside the business, or on neighboring properties anytime, (i.e., taco trucks, hot dog stands etc.), whether or not under control of the licensee.

### · Security Plan.

- The establishment will develop, implement and maintain a written security
  plan for the location which is acceptable to the Fresno Police Department's
  District Commander or designee. The plan may be amended as
  circumstances warrant from time to time by the Fresno Police Department
  based on calls for service to the location.
- 2. Fencing will be installed by the applicant as per the "operational statement" to include eight (8) foot fencing around the entire location. The fencing will include an entrance / exit gate for pedestrian traffic. This gate area will be staffed by security personnel to monitor persons coming and going from the location and to conduct security screening. There will also be a delivery gate in the fencing area for vehicles, which will also be monitored by security personnel. This delivery gate will remain closed, locked and secure during times no deliveries are being made.
- 3. This location is for residences which are female in gender and their children under the age of 18 yrs. There will be "NO" male residence allowed to stay at this facility as per the applicant and the "operational statement."
- 4. As per the applicant and the "operational statement," there will be "NO" women allowed to reside at this location who are on "psych" medication have a violent history or arson histories.
- 5. As per the applicant and the "operational statement," the location will provide 24 hour security with monitored surveillance.
- 6. As per the applicant and the "operational statement," there will be security guards on staff working nights and weekends.
- 7. If the location site becomes a location where police calls for service increase, disturbances, acts of violence or acts of alcohol and drug violations occur, then it will be the applicants responsibility to employ additional security, state licensed security and or contract law enforcement. It will be the responsibility of the applicant to contact the police department to review the calls for service at the location every three (3) months to ensure these types of instances are not occurring. After a period of time has past, determined by the police department, then the

Applicant can go to every twelve (12) months for review of police calls for service.

8. As per the applicant and the "operational statement," the location will install and monitor an adequate number of surveillance cameras, exterior and interior, to ensure residence and public safety.

Confirm that the security personnel will regularly monitor the parking lot and any adjacent property under the establishment's control to ensure the area is

free of people loitering or causing a disturbance.

10. The establishment shall correct any safety or security problem or security plan violation as soon as possible after receiving notice, written or verbal, of such problem from the Fresno Police Department.

Display of Conditions.

The applicant will maintain a copy of these conditions and all applicable licenses and permits issued by the city, county, state and federal government at the premises. The applicant must present these conditions immediately upon the request of any law enforcement or city official. The applicant will ensure all employee's are aware of these conditions.

Real property Responsibility.

The Applicant will agree that no more than twenty-five (25%) percent in excess over the rate of similar calls for police service (as described in F.M.C. Section 10-708, "unlawful nuisances") in the immediate (½ mile) area generated directly by said business is acceptable. Unrelated police calls at the business will be exempt. The Applicant should understand that upon determination by the Police Department that the number and type of calls for police service at this location are excessive can constitute grounds for possible citation to the Applicant for "unlawful nuisances."

### · Lighting.

1. Exterior.

The parking lot premises shall be equipped with lighting of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons on or about the parking lot.

Interior.

Areas inside the establishment open to residences and security will be illuminated sufficiently to allow the identification of persons.

Loitering.

Applicant shall not permit any loitering on building premises or any adjacent property under its control.

### Graffiti.

Any graffiti painted or marked upon the premises or any adjacent area under its control shall be removed or painted (non obtrusive) over within 48 hours.

Posting of Property.

The petitioner shall post the property with the appropriate municipal code signs advising that the consumption of alcoholic beverages, gambling, trespassing, or loltering will be in violation of municipal ordinances. The applicant must send a letter to the Fresno Police Department every 180 days that authorizes officers to enforce the aforementioned activities at the business. The owners and employees are responsible for abating these activities when they occur during business hours.

### Amendments.

The above listed conditions are subject to amendment by the Fresno Police Department at any time if the projected site becomes a public safety problem, safety issue for the surrounding community or a safety concern to the residences living at the location.

The Fresno Police Department will require acceptance of these listed conditions by the applicant for approval of the application. Absent such acceptance, we would be in opposition of this application as we feel all are in the public's best interest.

### FRESNO POLICE DEPARTMENT

Central District Commander Dennis Bridges

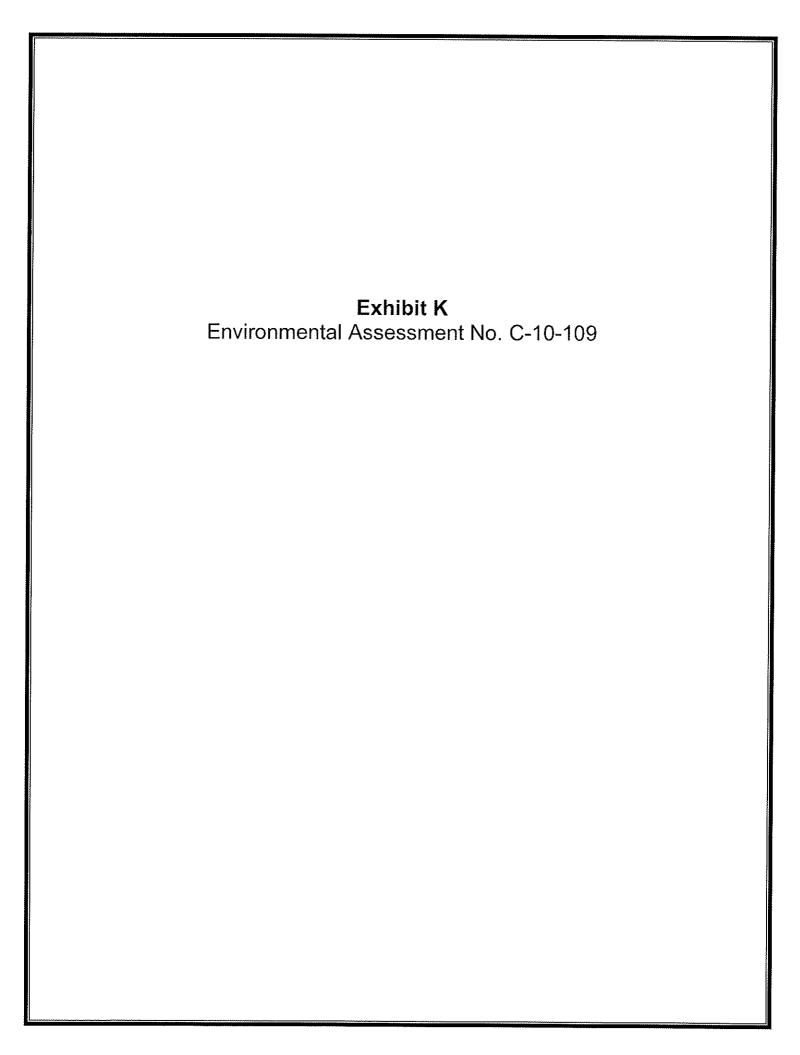
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David Rady

Date

Date



### CITY OF FRESNO – ENVIRONMENTAL ASSESSMENT FINDING OF CONFORMITY / MEIR NO. 10130/MND FOR PLAN AMENDMENT A-09-02 (AIR QUALITY MND)

Pursuant to Section 21157.1 of the California Public Resource Code (California Environmental Quality Act) the project described below is determined to be within the scope of the Master Environmental Impact Report (MEIR) No. 10130 prepared for the 2025 Fresno General Plan

Applicant: Jeffrey Roberts 1396 West Herndon Avenue, #101 Fresno, CA 93711	Initial Study Prepared By: Bonique Salinas, Planner Date: July 2, 2010		
Environmental Assessment Number: Conditional Use Permit Application No. C-10-109	Project Location (including APN): 2141 North Parkway Drive, Fresno City and County		
	Located on the west side of North Parkway Drive between West Clinton and West McKinley Avenues.		
	Site Latitude: 36°46'9.44" N Longitude and 119°50'17.92" W		
	Mount Diablo Base & Meridian, Township 13 S Range 20 E, Section 30		

### **Project Description:**

PROJECT DESCRIPTION: Conditional Use Permit Application No. C-10-109 was filed by Jeffrey Roberts on behalf of the Fresno Rescue Mission and pertains to 9.0+ acres of property located on the west side of North Parkway Drive adjacent to southbound State Route 99 between West Clinton and West McKinley Avenues. The applicant proposes the conversion and rehabilitation of the former Vagabond Motel to a secure/gated Vagabond Inn/'Save The Children' transitional housing community owned and operated by the Fresno Rescue Mission. The proposed development will consist of 62 residential units, 1 resident manager unit, 5 conference rooms, 1 medical room, 10 offices, 5 meeting rooms, 4 rooms for childcare and study, chapel, dining room, support activities, and playgrounds. The property is split zoned C-6 (Heavy Commercial) and C-6/UGM (Heavy Commercial/Urban Growth Management).

The property is located within the jurisdiction of the West Area Community Plan and the 2025 Fresno General Plan. The West Area Community Plan and the 2025 Fresno General Plan designate the subject property for general heavy commercial planned land uses. Pursuant to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan, the planned land use designation is consistent with the C-6 (*Heavy Commercial*.

### Conformance to Master Environmental Impact Report (MEIR) NO. 10130:

The adopted 2025 Fresno General Plan and the West Area Community Plan designate the subject site for general heavy commercial planned land uses. The proposed project conforms to this planned land use designation.

The Planning and Development Department staff has prepared an Initial Study (See Attached "Appendix G To Analyze Subsequent Project Identified In MEIR No. 10130/MND For Plan Amendment A-09-02 (Air Quality MND)/Initial Study") to evaluate the proposed conditional use permit application in accordance with the land use and environmental policies and provisions of lead agency City of Fresno's 2025 Fresno General Plan (SCH # 2001071097), the related Master Environmental Impact Report (MEIR) No. 10130 and the Mitigated Negative Declaration prepared for Plan Amendment A-09-02 to amend the Air Quality Element of the 2025 Fresno General Plan (Air Quality MND). The subject property is currently developed with existing vacant buildings which will remain. The proposed use is permitted by the planned land use and zoning designation for the site. Thus, the conditional use permit application will not facilitate an additional intensification of uses beyond that which already exists or would be allowed by the above-noted planned land use designation. Moreover, it is not expected that the future development will adversely impact existing city service systems or the traffic circulation system that serves the subject property. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. It has been further determined that all applicable mitigation measures of MEIR No. 10130 and the Air Quality MND have been applied to the project necessary to assure that the project will not

Finding of Conformity Under MEIR No. 10130 and the Air Quality MND prepared for C-10-109 Environmental Assessment No. C-10-109 July 2, 2010 Page 2

cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by MEIR No. 10130 as provided by CEQA Guidelines Section 15177(b)(3).

Pursuant to Section 21157.1 of the California Public Resources Code (California Environmental Quality Act), it may be determined that a subsequent project, as identified in the MEIR pursuant to Section 21157(b)(2) of the Public Resources Code and CEQA Guidelines Section 15177, falls within the scope of a MEIR, provided that the project does not cause additional significant impacts on the environment that were not previously examined by the MEIR and the Air Quality MND.

Relative to this specific project proposal, the environmental impacts noted in the MEIR and the Air Quality MND, pursuant to the 2025 Fresno General Plan land use designation, include impacts associated with the general heavy commercial planned land use designation specified for the subject property. Based on this Initial Study, the following findings are made: (1) The proposed project was identified as a Subsequent Project in MEIR No. 10130 because its, location, land use designation and permissible densities and intensities are set forth in Figure I-1 of MEIR No. 10130; (2) The proposed project is fully within the scope of the MEIR and Air Quality MND because it will not generate additional significant effects on the environment not previously examined and analyzed by the MEIR or Air Quality MND for the reasons set forth in the Initial Study; and (3) other than identified below, there are no new or additional mitigation measures or alternatives required.

In addition, after conducting a review of the adequacy of the MEIR pursuant to Public Resources Code Section 21157.6(b)(1), the Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and the Air Quality MND was adopted and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete and the Air Quality MND was adopted, has become available. Moreover, as lead agency for this project, the Planning and Development Department, per Section 15177(d) of the CEQA Guidelines, has determined that all feasible mitigation measures from MEIR No. 10130 and the Air Quality MND shall be applied to the project as conditions of approval as set forth in the attached Mitigation Monitoring Checklist (See "Master Environmental Impact Report (MEIR) No. 10130/SCH No. 2001071097 For the 2025 General Plan, Mitigation Monitoring Checklist).

Public notice has been provided regarding staff's finding in the manner prescribed by Section 15177(d) of the CEQA Guidelines and by Section 21092 of the California Public Resources Code (CEQA provisions).

Mike Sanchez

Planning Manager, City of Fresno

Date

Attachments: Notice of Intent to Adopt a Finding of Conformity

Master Environmental Impact Report (MEIR) Review Summary (Attachment: Status of MEIR Analysis with Regard to

Air Quality and Climate Change)

Appendix G To Analyze Subsequent Project Identified In MEIR No. 10130/MND For Plan Amendment A-09-02 (Air

Quality MND)/Initial Study for Environmental Assessment No. C-10-109

Master Environmental Impact Report (MEIR) No. 10130/SCH No. 2001071097 For the 2025 General Plan: Mitigation

MEIR Mitigation Monitoring Checklist for Environmental Assessment No. C-10-109

### **CITY OF FRESNO**

## NOTICE OF INTENT TO ADOPT A FINDING OF CONFORMITY

### PROJECT TITLE AND ENVIRONMENTAL ASSESSMENT

EA No. C-10-109 for Conditional Use Permit Application No. C-10-109

APN Nos. 442-090-06, 16, 17, 18

### APPLICANT:

Jeffrey Roberts 1396 West Herndon Avenue, #101 Fresno, CA 93711

On behalf of Bob Brown of the Fresno Rescue Mission

### PROJECT LOCATION:

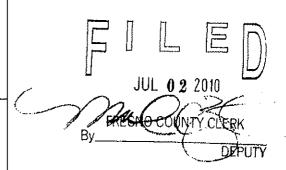
2141 North Parkway Drive, Fresno City and County Located on the west side of North Parkway Drive between West Clinton and West McKinley Avenues.

Site Latitude: 36°46'9.44" N Longitude and -119°50'17.92" W

Mount Diablo Base & Meridian, Township 13 S Range 20 E, Section 30

Filed with:

FRESNO COUNTY CLERK 2221 Kern Street, Fresno, CA 93721



PROJECT DESCRIPTION: Conditional Use Permit Application No. C-10-109 was filed by Jeffrey Roberts on behalf of the Fresno Rescue Mission and pertains to 9.0+ acres of property located on the west side of North Parkway Drive adjacent to southbound State Route 99 between West Clinton and West McKinley Avenues. The applicant proposes the conversion and rehabilitation of the former Vagabond Motel to a secure/gated Vagabond Inn/'Save The Children' transitional housing community owned and operated by the Fresno Rescue Mission. The proposed development will consist of 62 residential units, 1 resident manager unit, 5 conference rooms, 1 medical room, 10 offices, 5 meeting rooms, 4 rooms for childcare and study, chapel, dining room, support activities, and playgrounds. The property is split zoned C-6 (Heavy Commercial) and C-6/UGM (Heavy Commercial/Urban Growth Management).

The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is fully within the scope of the Master Environmental Impact Report No. 10130 (MEIR) prepared for the 2025 Fresno General Plan (SCH # 2001071097) and Mitigated Negative Declaration prepared for Plan Amendment No. A-09-02 (SCH # 2009051016) (Air Quality MND). Therefore, the Planning and Development Department proposes to adopt a Finding of Conformity for this project.

With the mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR or Air Quality MND. After conducting a review of the adequacy of the MEIR and Air Quality MND pursuant to Public Resources Code, Section 21157.6(b)(1), the Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and the Air Quality MND was adopted and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete and the Air Quality MND was adopted, has become available. The project is not located on a site

Notice of Intent to Adopt EA No. C-10-109 July 2, 2010

which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

Additional information on the proposed project, including the MEIR, Air Quality MND, proposed environmental finding and the initial study may be obtained from the Planning and Development Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor Fresno, California 93721-3604. Please contact Bonique Salinas at (559) 621-8024 for more information.

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on August 3, 2010. Please direct comments to Bonique Salinas, Planner, City of Fresno Planning and Development Department, City Hall, 2600 Fresno Street, Room 3043, Fresno, California, 93721-3604; or by email to Bonique Salinas@fresno.gov; or comments can be sent by facsimile to (559) 498-1026.

INITIAL STUDY PREPARED BY: Bonique Salinas	SUBMITTED BY:
DATE: July 2, 2010	Mike Sanchez, Planning Manager CITY OF FRESNO PLANNING AND DEVELOPMENT DEPARTMENT

## APPENDIX G TO ANALYZE SUBSEQUENT PROJECT IDENTIFIED IN MEIR NO. 10130/MND FOR PLAN AMENDMENT A-09-02 (AIR QUALITY MND)/INITIAL STUDY

### **Environmental Checklist Form**

- 1. Project title: Conditional Use Permit Application No. C-10-109
- Lead agency name and address:

City of Fresno Planning & Development Department 2600 Fresno Street Fresno. CA 93721

3. Contact person and phone number:

Bonique Salinas, Planner (559) 621-8024

4. Project location:

2141 North Parkway Drive

Located on the west side of North Parkway Drive between West Clinton and West McKinley Avenues (+/- 9.3 acres)

APN: 442-090-06, 16, 17 and 18

5. Project sponsor's name and address:

Jeffrey Roberts 1396 West Herndon Avenue, #101 Fresno, CA 93711

- 6. General plan designation: General Heavy Commercial
- 7. Zoning: C-6 and C-6/UGM (Heavy Commercial/Urban Growth Management) zone district
- 8. Description of project:

Request to convert and rehabilitate the former Vagabond Motel to a secure/gated Vagabond Inn/'Save The Children' transitional housing community owned and operated by the Fresno Rescue Mission. The proposed development will consist of 62 residential units, 1 resident manager unit, 5 conference rooms, 1 medical room, 10 offices, 5 meeting rooms, 4 rooms for childcare and study, chapel, dining room, support activities, and playgrounds. The proposed use is classified as a Group Housing Facility as defined by Section 12-105-G-10 of the Fresno Municipal Code.

Surrounding land uses and setting:

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	Planned Land Use	Existing Zoning	Existing Land Use
North	State Route 99 General Heavy Commercial	<b>C-6</b> Heavy Commercial	State Route 99 Motel
South	Light Industrial	C-M Commercial and Light Manufacturing	Light Industrial/Auto storage related
East	State Route 99 Light Industrial	C-M Commercial and Light Manufacturing	State Route 99 Storage Yard
West	Light Industrial	C-M Commercial and Light Manufacturing	Light Industrial

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

Building and Safety Division
San Joaquin Valley Air Pollution Control District
Fresno County Health Department

### **ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

Pursuant to Public Resources Code Section 21157.1(b) and CEQA Guidelines 15177(b)(2), the purpose of this MEIR initial study is to analyze whether the subsequent project was described in the Master Environmental Impact Report No. 10130 and whether the subsequent project may cause any additional significant effect on the environment, which was not previously examined in MEIR No. 10130 ("MEIR") or the Mitigated Negative Declaration prepared for Plan Amendment A-09-02 to amend the Air Quality Element of the 2025 Fresno General Plan (SCH # 2009051016) ("Air Quality MND").

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

 Aesthetics	 Agriculture and Forestry Resources	<del></del>	Air Quality
 Biological Resources	 Cultural Resources		Geology /Soils
 Greenhouse Gas Emissions	 Hazards & Hazardous Materials		Hydrology/Water Quality

Initial Sto EA No. ( July 2, 2 Page 3	C-10-109				
	Land Use/Planning		Mineral Resources		Noise
	Population /Housing		Public Services		Recreation
	Transportation/Traffic		Utilities/Service Systems		Mandatory Findings of Significance
DETER	RMINATION: (To be comp	leted b	by the Lead Agency)		
On the	basis of this initial evalua	tion:			
<u>x</u>	fully within the scope of significant effects that we new additional mitigation measures conthe proposed project. At I find that the proposed MND but that it is not for proposed project could in the MEIR or Air Qual because revisions in the The project specific mitigation.	the Mayere not on material of the Mayere of	ct is a subsequent project identification and Air Quality MND be on the examined in the MEIR or seasures or alternatives made in the Mitigation Monitoring ING OF CONFORMITY will be the subsequent project identification as a significant effect on the entitle in the scope of the MEIR are as a significant effect on the entitle in the seasures and all applicable made by or agreement and the impose LARATION will be prepared.	cause in the Air ay be Check be prepared in the Air vironme prepared to mitigat	t would have no additional Quality MND such that no required. All applicable list shall be imposed upon ared.  In the MEIR and Air Quality Quality MND because the ent that was not examined prificant effect in this case by the project proponent ion measures contained in
	have a significant effect Quality MND, and an potentially significant ef	t on t ENVIR	t is a subsequent project iden the environment that was not on the MEIR not examined in the MEIR on 21157.1(d) and CEQA Gui	ot exar ORT is or Air	mined in the MEIR or Air required to analyze the Quality MND pursuant to
	725	2			7-2-17

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE MEIR or Air Quality MND:

Date

Signature

- 1. For purposes of this MEIR Initial Study, the following answers have the corresponding meanings:
  - a. "No Impact" means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the MEIR

or Air Quality MND.

- b. "Less Than Significant Impact" means there is an impact related to the threshold under consideration that was not previously examined in the MEIR or Air Quality MND, but that impact is less than significant;
- c. "Less Than Significant with Mitigation Incorporation" means there is a potentially significant impact related to the threshold under consideration that was not previously examined in the MEIR or Air Quality MND, however, with the mitigation incorporated into the project, the impact is less than significant.
- d. "Potentially Significant Impact" means there is an additional potentially significant effect related to the threshold under consideration that was not previously examined in the MEIR or Air Quality MND.
- 2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 5. A "Finding of Conformity" is a determination based on an initial study that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR and Air Quality MND because it would have no additional significant effects that were not examined in the MEIR or the Air Quality MND.
- 6. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 7. Earlier analyses may be used where, pursuant to the tiering, program EIR or MIER, or other CEQA

process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

- a. Earlier Analysis Used. Identify and state where they are available for review.
- b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in the MEIR or another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 8. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 9. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 10. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 11. The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				Х

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				×

The proposed use is to be located within existing buildings and on a developed site that is in the middle of an area that is planned for light industrial and general heavy commercial uses. No public or scenic vista will be obstructed by the project and no valuable vegetation will be removed for this project. The project will not damage any scenic resources nor will it degrade the visual character or quality of the subject site and its surroundings, given that the building currently exists. The proposed project will not create a new source of substantial light or glare which would affect day or night time views in the project area, given that during the entitlement process, staff will ensure that lights are located in areas that will minimize light sources to the neighboring properties. As a result, the project will have no impact on aesthetics.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				x
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				×

The subject site is designated as "Urban and Built-Up Land" on the 2006 Rural Mapping Edition: Fresno County Important Farmland Map, and thus has no farmland considered to be prime farmland, farmland of statewide importance, or unique farmland. The subject site is not currently under cultivation.

The subject site is not under a Williamson Act contract and is not surrounded by sites under a Williamson Act contract. The subject site and proposed use do not conflict with any forest land or Timberland Production or result in any loss of forest land. The proposed project does not include any changes which will affect the existing environment and result in the conversion of Farmland to non-agricultural uses.

III. AIR QUALITY Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	
a) Conflict with or obstruct implementation of the applicable air quality plan?	X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

The proposed project will comply with all applicable air quality plans. Therefore, no violations of air quality standards will occur and no net increase of pollutants will occur. In addition, the proposed project is not proposing a use which will create objectionable odors; therefore there will be no impact.

According to the Air Quality and Land Use Handbook prepared by the California Environmental Protection Agency, California Air Resources Board (CARB), it is recommended that the siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles a day should be avoided. Sensitive Land Uses are those where sensitive individuals are most likely to spend time, including schools and schoolyards, parks and playgrounds, day care centers, nursing homes, hospitals, and residential communities.

Although the proposed project is a new use, on the site in that it the site is being converted from a motel to transitional housing, it is not a new use in the truest sense. As a motel, the site already serviced as temporary lodging for individuals and families with children. The new use will serve the same purpose and is thus not a "new" sensitive land use. In addition, most of the studies discussed in this CARB handbook found that air quality was most detrimental to human health in areas when sensitive land uses were within 300 feet of a freeway. All longer term residential units proposed on the subject site will be located more than 300-feet from the freeway right-of-way. The only residential unit located within 300-feet of the freeway will be used for emergency housing and will only provide housing for individuals on a very short-term basis.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES Would the project:				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Given that the proposed project will be within an area surrounded by urban uses, the proposed project will have no impact on biological resources.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
		Incorporation		
V. CULTURAL RESOURCES Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				×
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				Х
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

There are no structures which exist within the project area that are listed in the National or Local Register of Historic Places, and the subject site is not within a designated historic district. There are no known archaeological resources, paleontological resources, and human remains that exist within the project area. The Master Environmental Impact Report (MEIR) No. 10130/SCH No. 2001071097 for the 2025 Fresno General Plan, Mitigation Monitoring Checklist includes measures to address archaeological resources, paleontological resources, and human remains.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Division of Mines and Geology Special Publication 42.				
ii) Strong seismic ground shaking?				Х
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				Х
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in onor off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

There are no geologic hazards or unstable soil conditions known to exist on the site. Fresno has no known active earthquake faults and is not in any Alquist-Priolo Special Studies Zones. No adverse environmental effects related to topography, soils or geology are expected as a result of this project.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
significant impact on the environment?			,	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				

Given that the subject site will not additional trips beyond the previous motel use, the subject site will have no impact to greenhouse gasses.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. HAZARDS AND HAZARDOUS MATERIALS Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				Х
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				х
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
safety hazard for people residing or working in the project area?				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				Х
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

There are no known existing hazardous material conditions on the site and the project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The project itself will not generate or use hazardous materials, is not in an airport hazard zone, is not near any wildland fire hazard zones, and poses no interference with the City's or County's Hazard Mitigation Plans or emergency response plans. The subject site has not been under cultivation for at least over 15 years. Therefore, no known pesticides or hazardous materials exist on the site and the proposed project will have no environmental impacts related to potential hazards or hazardous materials as indentified above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production				×

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				x
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?		***************************************		x
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				Х
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

The proposed project will have no impact on the quality of water and hydrology.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
IX. LAND USE AND PLANNING Would the project:				
a) Physically divide an established community?				Х
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				Х

The proposed project will not divide an established community since the use will be within existing buildings in an established community. The project will not conflict with any policies given the fact that the use is allowed in the C-6 zone district. The project will not conflict with any conservation plans since it is not located within any conservation plan areas.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
X. MINERAL RESOURCES Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				Х
b) Result in the loss of availability of a locally- important mineral resource recovery site				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
delineated on a local general plan, specific plan or other land use plan?				Х

The subject property is not located in an area designated for mineral resource preservation or recovery.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. NOISE Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				x
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				×
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				×
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Although the subject site is located near State Route 99, the project is an existing motel and the units that will be used for longer term residential units will be located over 300 feet from the freeway right-of-way. The

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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proposed project will be required to comply with all noise policies from the 2025 Fresno General Plan and noise codes from the Fresno Municipal Code. The project is not located within the vicinity of an airstrip; therefore there will be no exposure to excessive noise.

XII. POPULATION AND HOUSING Would the project:		
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?		X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?		×
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?		Х

The project will not induce substantial population growth given that the proposed project is not proposing additional permanent housing. The proposed project will not displace any people or any residential structures given that the project site is currently vacant. Therefore, no population and housing impacts will result from the proposed project.

XIII. PUBLIC SERVICES			
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:			
Fire protection?			X
Police protection?		Х	
			Х

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Schools?				
Parks?				X
Other public facilities?				Х

The proposed project will not impact public services beyond what was analyzed in the Master Environmental Impact Report No. 10130. The subject site will continue to be utilized for a use allowed by the land use designated by the 2025 Fresno General Plan.

XIV. RECREATION		
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?		X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?		X

The project does not include or require construction of public recreational facilities that might have an adverse physical effect on the environment. The project is actually proposing on-site recreational facilities for the families who will be living at the facility. Therefore no recreation impacts will be generated by the project.

XV. TRANSPORTATION/TRAFFIC Would the project:		
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?		X
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand		

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
measures or other standards established by the county congestion management agency for designated roads or highways?				Х
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				х
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.				Х

The proposed project is not expected to generate traffic which would significantly impact any nearby roads. There would also not be an increase in traffic beyond what is allowed. Therefore, the project would have no impact and not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system, or in a substantial increase in vehicle miles traveled.

XVI. UTILITIES AND SERVICE SYSTEMSWould the project:		
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?		Х
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		Х
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		X
d) Have sufficient water supplies available to		

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				Х
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the provider's existing' commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				х
g) Comply with federal, state, and local statutes and regulations related to solid waste?				Х

The project site will be continue to be serviced by the Solid Waste Division, have water facilities available to provide water service to the site subject to several conditions, and sewer facilities will be available to provide service to the subject site.

The proposed project is not expected to exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board and will not result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, or result in the construction of new storm water drainage facilities or expansion of existing facilities. Therefore, there will be no impacts to utilities and service systems.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE		
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X
b) Does the project have impacts that are individually limited, but cumulatively considerable" means that the incremental effects of a project		X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				Х

As noted in preceding sections of this Initial Study, there is no evidence in the record to indicate that the increment of environmental impacts that would be potentiated by this project would be cumulatively significant. There is also no evidence in the record that the proposed project would have any adverse impacts directly, or indirectly, on human beings. Therefore, there are no mandatory findings of significance.

CAO033010

# **ENVIRONMENTAL ASSESSMENT NO. A-09-02 FINDING OF MITIGATED NEGATIVE DECLARATION** MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130 / SCH No. 2001071097 FOR THE 2025 FRESNO GENERAL PLAN

Project/EA No. C-10-109

## Mitigation Monitoring Checklist

environmental assessment, required by City Council Resolution No. 2002-378 and Exhibit E thereof (adopted on November 19, 2002) to certify the MEIR for the 2025 Fresno General Plan Update. On June 25, 2009, through incorporated additional and revised mitigation measures as necessary within the following monitoring checklist. Following is the mitigation monitoring checklist from MEIR No. 10130 as applied to the above-noted project's updated the Air Quality Section of the Resource Conservation Element of the 2025 Fresno General Plan and finding of a Mitigated Negative Declaration prepared for General Plan Amendment Application No. A-09-02 which its Resolution No. 2009-146, the City Council adopted Environmental Assessment No. A-09-02 confirming the

A - Incorporated into Project

Date: July 2, 2010

- B Mitigated
- C Mitigation in Progress
- D Responsible Agency ContactedE Part of City-wide Program
- F Not Applicable

NOTE: Letters B-Q in mitigation measures refer to the respective sections of Chapter V of MEIR No. 10130

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	вс	D	m	П
<b>B-1.</b> Development projects that are consistent with plans and policies but that could affect conditions on major street segments predicted by the General Plan MEIR traffic analysis to perform at an Average Daily Traffic (ADT) level of service (LOS) D or better in 2025, with planned street improvements, shall not cause conditions on those segments to be worse than LOS E before 2025 without completing a traffic and transportation evaluation. This evaluation will be used to determine appropriate project-specific design measures or street/transportation improvements that will contribute to achieving and maintaining LOS D.	Prior to approval of land use entitlement	Public Works Dept./Traffic Planning; Planning and Development Dept.	×				
B-2. Development projects that are consistent with plans and policies but that could affect conditions on major street segments predicted by the General Plan MEIR traffic analysis to perform at an ADT LOS E in 2025, with planned street improvements, shall not cause conditions on those segments to be worse than LOS E before 2025 without completing a traffic and transportation evaluation. This evaluation will be used to determine appropriate project-specific design measures or street/ transportation improvements that will contribute to achieving and maintaining LOS E.	Prior to approval of land use entitlement	Public Works Dept./Traffic Planning; Planning and Development Dept.	×				7.000.000.000.000.000.000.000.000

# MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130 / SCH No. 2001071097 FOR THE 2025 FRESNO GENERAL PLAN

Project/EA No. C-10-109

# **MEIR Mitigation Monitoring Checklist**

Date: July 2, 2010

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			b. In addition, for development projects that the City determines may generate a projected 100 or more peak hour vehicle trips (either in the morning or evening), the evaluation shall determine the project's contribution to increased peak hour vehicle delay at major street intersections adjacent or proximate to the project site. The evaluation shall identify project responsibilities for intersection improvements to reduce vehicle delay consistent with the LOS anticipated by the 2025 Fresno General Plan. For projects which affect State Highways, the Public Works Director may direct the site access evaluation to
×	Public Works Dept./Traffic Planning; Planning and Development Dept.	Prior to approval of land use entitlement	B-4. For development projects that are consistent with plans and policies, a site access evaluation shall be required to the satisfaction of the Public Works Director. This evaluation shall, at a minimum, focus on the following factors:  a. Disruption of vehicular traffic flow along adjacent major streets, appropriate design measures for on-site vehicular circulation and access to major streets (number, location and design of driveway approaches), and linkages to bicycle/pedestrian circulation systems and transit services.
	Public Works Dept./Traffic Planning; Planning and Development Dept.	Prior to approval of land use entitlement	B-3. Development projects that are consistent with plans and policies but that could affect conditions on major street segments predicted by the General Plan MEIR traffic analysis to perform at an ADT LOS F shall not cause further substantial degradation of conditions on those segments before 2025 without completing a traffic and transportation evaluation. This evaluation will be used to determine appropriate project-specific design measures or street/ transportation improvements that will contribute to achieving and maintaining a LOS equivalent to that anticipated by the General Plan. Further substantial degradation is defined as an increase in the peak hour vehicle/capacity (v/c) ratio of 0.15 or greater for roadway segments whose v/c ratio is estimated to be 1.00 or higher in 2025 by the General Plan MEIR traffic analysis.

## Page 2

A - Incorporated into ProjectB - Mitigated

C - Mitigation in ProcessD - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

# MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130 / SCH No. 2001071097 FOR THE 2025 FRESNO GENERAL PLAN

Project/EA No. C-10-109

# **MEIR Mitigation Monitoring Checklist**

Date: July 2, 2010

MITIGATION MEASURE IM	WHEN MPLEMENTED	COMPLIANCE VERIFIED BY	A B	C	ם	m	П
reference the criteria presented in Caltrans Guide for the Preparation of Traffic Impact Studies.							
<b>B-5.</b> Circulation and site design measures shall be considered for development projects so that local trips may be completed as much as possible without use of, or with reduced use of, major streets and major street intersections. Appropriate consideration must also be given to compliance with plan policies and mitigation measures intended to promote compatibility between land uses with different traffic generation characteristics.	Prior to approval of land use entitlement	Public Works Dept./Traffic Planning; Planning and Development Dept.	×				
<b>B-6.</b> New development projects and major street construction projects shall be designed with consideration and implementation of appropriate features (considering safety, convenience and cost-effectiveness) to encourage walking, bicycling, and public transportation as alternative modes to the automobile.	Prior to approval or prior to funding of major street project.	Public Works Dept./Traffic Planning; Planning and Development Dept.	×				
<b>B-7.</b> Bicycle and pedestrian travel and use of public transportation shall be facilitated as alternative modes of transportation including, but not limited to, provision of bicycle, pedestrian and public transportation facilities and improvements to connect residential areas with public facilities, shopping and employment. Adequate rights-of-way for bikeways, preferably as bicycle lanes, shall be provided on all new major streets and shall be considered when designing improvements for existing major streets.	Ongoing	Public Works Dept./Traffic Planning; Planning and Development Dept.	×				

## Page 3

A - Incorporated into ProjectB - Mitigated

C - Mitigation in ProcessD - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

# MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130 / SCH No. 2001071097 FOR THE 2025 FRESNO GENERAL PLAN

Project/EA No. C-10-109

# **MEIR Mitigation Monitoring Checklist**

Date: July 2, 2010

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e. Continue to route information regarding land use plans, development projects, and amendments to development regulations to the SJVAPCD for that agency's review and comment on potential air quality impacts.	d. Adopted state and SJVAPCD protocols, standards, and thresholds of significance for greenhouse gas emissions shall be utilized in assessing and approving proposed development projects.	c. City departments preparing environmental review documents shall use computer models (software approved by local and state air quality and congestion management agencies) to estimate air pollution impacts of development entitlements, land use plans and amendments to land use regulations.	<ul> <li>Maintain internal consistency within the General Plan between policies and programs for air quality resource conservation and the policies and programs of other General Plan elements.</li> </ul>	a. Develop and incorporate air quality maintenance considerations into the preparation and review of land use plans and development proposals.	<b>C-1.</b> In cooperation with other jurisdictions and agencies in the San Joaquin Valley Air Basin, the City shall take the following necessary actions to achieve and maintain compliance with state and federal air quality standards and programs.
					Ongoing
					Planning and Development Department Dept.
					×

Project/EA No. C-10-109

## **MEIR Mitigation Monitoring Checklist**

Date: July 2, 2010

## **MITIGATION MEASURE** IMPLEMENTED WHEN COMPLIANCE VERIFIED BY $\triangleright$ $\boldsymbol{\varpi}$ O т T

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-4. The City shall continue efforts to improve technical performance, missions levels and system operations of the Fresno Area Express transit /stem, through such measures as:  Selecting and maintaining bus engines, transmissions, fuels and air conditioning equipment for efficiency and low air pollution emissions.  Siting new transit centers and other multi-modal transportation transfer facilities to maximize utilization of mass transit.  Continuing efforts to improve transit on-time performance, increase frequency of service, extend hours of operation, add express bus service and align routes to capture as much new ridership as possible.  Initiating a program to allow employers and institutions (e.g., educational facilities) to purchase blocks of bus passes at a reduced rate to facilitate their incentive programs for reducing single-passenger vehicle use.	C-3. The City shall implement all of the Reasonably Available Control Measures (RACM) identified in Exhibit A of Resolution No. 2002-119, adopted by the Fresno City Council on April 9, 2002. These measures are presented in full detail in Table VC-3 of the MEIR.	<b>C-2.</b> For development projects potentially meeting SJVAPCD thresholds of significance and/or thresholds of applicability for the Indirect Source Review Rule (Rule 9510) in their unmitigated condition, project applicants shall complete the SJVAPCD Indirect Source Review Application prior to approval of the development project. Mitigation measures incorporated into the ISR analysis shall be incorporated into the project as conditions of approval and/or mitigation measures, as may be appropriate.
Ongoing	Ongoing	Ongoing
Fresno Area Express	Various city departments	Planning and Development Department Dept. SJVAPCD
	×	×

## Page 5

A - Incorporated into ProjectB - Mitigated

C - Mitigation in ProcessD - Responsible Agency Contacted

Project/EA No. C-10-109

## **MEIR Mitigation Monitoring Checklist**

Date: July 2, 2010

**MITIGATION MEASURE** IMPLEMENTED WHEN COMPLIANCE VERIFIED BY Þ  $\mathbf{w}$ C O m Ħ

<b>D-4.</b> The City shall work with the Fresno Metropolitan Flood Control District to Prevent and reduce the existence of urban stormwater pollutants to the maximum extent practical and ensure that surface and groundwater quality, public health, and the environment shall not be adversely affected by urban runoff, and shall comply with NPDES standards.	D-3. The City shall implement the future water supply plan described in the City of Fresno Metropolitan Water Resources Management Plan Update and shall continue to update this Plan as necessary to ensure the cost-effective use of water resources and continued availability of good-quality groundwater and surface water supplies.	D-2. The City shall ensure the funding and construction of facilities to mitigate the direct impacts of land use changes and development within the 2025 General Plan boundaries. Groundwater wells, pump stations, intentional recharge facilities, potable and recycled water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. Site specific environmental evaluations shall precede the construction of these facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.	<b>D-1.</b> The City shall monitor impacts of land use changes and development project proposals on water supply facilities and the groundwater aquifer.
Ongoing	Ongoing	Ongoing (City-wide); and prior to approval of land use entitlement as applicable	going
Planning and Development Department	Department of Public Utilities	Department of Public Utilities and Planning and Development Department	Dept of Public Utilities and Planning and Development Dept
X     X	<b>X</b>	X X	×

### Page 6

A - Incorporated into ProjectB - Mitigated

C - Mitigation in ProcessD - Responsible Agency Contacted

Project/EA No. C-10-109

## **MEIR Mitigation Monitoring Checklist**

Date: July 2, 2010

within the city and its general plan area, particularly the San Joaquin Riverbottom, for uses that will not involve permanent improvements which would be adversely affected by periodic floods. The City shall expand this protected area in the Riverbottom pursuant to expanded floodplain and/or floodway maps, regulations, and policies adopted by the Central Valley Flood Protection Board and the	MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	Α	В	С	ם	m	m
	1 1	Ongoing	Planning and Development Department						×

National Flood Insurance Protection Program.

<ul> <li>D-6. The City shall establish special building standards for private structures, public structures and infrastructure elements in the San Joaquin Riverbottom that will protect:</li> <li>a. Allowable_construction in this area from being damaged by the intensity of flooding in the riverbottom;</li> <li>b. Water quality in the San Joaquin River watershed from flood damage-related nuisances and hazards (e.g., the release of raw sewage); and</li> <li>c. Public health, safety and general welfare from the effects of flood events.</li> </ul>	es, hat of ted	c. Public health, safety and	b. Water quality in the San Junuisances and hazards (e	Allowable_construction in tl     flooding in the riverbottom;	D-6. The City shall establish public structures and infrastru will protect:
	Ongoing	c. Public health, safety and general welfare from the effects of flood events.	<ul> <li>b. Water quality in the San Joaquin River watershed from flood damage-related nuisances and hazards (e.g., the release of raw sewage); and</li> </ul>	Allowable_construction in this area from being damaged by the intensity of flooding in the riverbottom;	<b>D-6.</b> The City shall establish special building standards for private structures, public structures and infrastructure elements in the San Joaquin Riverbottom that will protect:
	Planning and Development Department				

Г					
	channel diversions to control water flow through ponds).	reclamation activities for mined sites (e.g., temporary berms and small side-	alterations in river flow that are approved for surface mining and subsequent	that levees shall not be used in the river corridor for flood control, except those	D-7. The City shall advocate that the San Joaquin River not be channelized and Ongoing
					Ongoing
			Department	Development	Planning and
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### Page 7

Project/EA No. C-10-109

## **MEIR Mitigation Monitoring Checklist**

Date: July 2, 2010

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×	Department of Public Utilities	Ongoing	<b>D-9.</b> The City shall continue its current water conservation programs and implement additional water conservation measures to reduce overall per capita water use within the City with a goal of reducing the overall per capita water use in the City to its adopted target consumption rate. The target per capita consumption rate adopted in 2008 is a citywide average of 243 gallons per person per day, intended to be reached by 2020 (which includes anticipated water conservation resulting from the on-going residential water metering program and additional water conservation by all customers: 5% by 2010, and an additional 5% by 2020.)
×	Department of Public Utilities	Ongoing	D-8. The City shall maintain a comprehensive, long-range water resource management plan that provides for appropriate management and use of all sources of water available to the planning area, and shall periodically update this plan to ensure that sufficient and sustainable water supplies of good quality will be economically available to accommodate existing and planned urban development. Project-specific and city-wide water conservation measures shall be directed toward assisting in reaching the goal of balancing City groundwater operations by 2025.

Page 8

A - Incorporated into ProjectB - Mitigated

C - Mitigation in ProcessD - Responsible Agency Contacted

Project/EA No. C-10-109

## **MEIR Mitigation Monitoring Checklist**

Date: July 2, 2010

<b>D-11.</b> When and if the City adopts a formal management plan for recycled and/or reclaimed water, all development shall comply with its standards and requirements. Absent a formal management plan for recycled and/or reclaimed water, new development projects shall install reasonably necessary infrastructure, facilities and equipment to utilize reclaimed and recycled water for landscape irrigation, decorative fountains and ponds, and other water-consuming features, provided that use of reclaimed or recycled water is determined by the Department of Public Utilities to be feasible, sanitary, and energy-efficient.	Department of Public Utilities conditions intended for the City to reach its overall per capita water consumption rate target. Project conditions shall include, but are not limited to, water use efficiency for landscaping, use of artificial turf and native plant materials, reducing turf areas, and discouraging the development of artificial lakes, fountains and ponds unless only untreated surface water or recycled water supplies are used for these decorative and recreational water features, as appropriate and sanitary.	<b>D-10</b> . All development projects shall be required to comply with City
Prior to approval of development project	of land use entitlement	Prior to approval
Department of Public Utilities	Public Utilities	Department of
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## Page 9

Project/EA No. C-10-109

## **MEIR Mitigation Monitoring Checklist**

Date: July 2, 2010

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NOTE: The above land use classifications and demand allocation factors may be amended in future updates of the Urban Water Management Plan	South East Growth Area	Landscaped open space	Industrial	Commercial and institutional	Multi-family residential	Single family residential	(Analysis shall include acreage to all street centerlines.)	FOR GROSS DEVELOPED PROJECT ACREAGE OF THE FOLLOWING DEVELOPMENT CATEGORIES	D-12. All applicants for development projects shall provide data (meeting City Department of Public Utilities criteria for such data) on the anticipated annual water demand and daily peak water demand for proposed projects. If a development project would increase water demand at a project location (or for a type of development) beyond the levels allocated in the version of the City's Urban Water Management Plan (UWMP) in effect at the time the project's environmental assessment is conducted, the additional water demand will be required to be offset or mitigated in a manner acceptable to the City Department of Public Utilities. Allocated water demand rates are set forth in Table 6-4 of the 2008 UWMP as follows:
tions and demar f the Urban Wat	3.4	ω	2	2	6.5	3.8	01/01/2005 THROUGH 12/31/2010	PER-UNIT FACTORS, in projects projected to to during these intervals	WITIGATION MEASURE  evelopment projects shall projects shall projects shall projects water demand for proper dincrease water demand and dincrease water demand and dincrease water demand and provided in the levels allocated in the Plan (UWMP) in effect at the provided in a manner acceptant is conducted, the additional tigated in a manner acceptaties. Allocated water demander as follows:
nd allocation fac	3.2	2.9	1.9	1.9	6.2	3.5	01/01/2010 THROUGH 12/31/2024	PER-UNIT FACTORS, in acre-ft/acre/yr, for projects projected to be completed during these intervals:	Ill provide data  a) on the anticiproposed project Indian the version that the time the tional water deptable to the command rates are
tors may be Plan	3.2	2.9	1.9	1.9	6.2	3.5	AFTER 01/01/2025	ft/acre/yr, for npleted	(meeting City pated annual cts. If a ocation (or for or for of the City's project's mand will be City set forth in
									WHEN IMPLEMENTED  Prior to approval of development project
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## Page 10

A - Incorporated into ProjectB - Mitigated

C - Mitigation in ProcessD - Responsible Agency Contacted

Project/EA No. C-10-109

## **MEIR Mitigation Monitoring Checklist**

Date: July 2, 2010

 	Planning and Development Department	Ongoing	E-3. The City shall pursue appropriate measures, including recordation of right to farm covenants, to ensure that agricultural uses of land may continue within those areas of transition where planned urban areas interface with planned agricultural areas.
×	Planning and Development Department	Ongoing	<b>E-2.</b> To minimize the inefficient conversion of agricultural land, the City shall pursue the appropriate measures to ensure that development within the planned urban boundary occurs consistent with the General Plan and that urban development occurs within the city's incorporated boundaries.
×	Planning and Development Department	Ongoing	<b>E-1.</b> The City shall continue to implement and pursue strengthening of urban growth management service delivery requirements and annexation policy agreements, including urging that the county continue to implement similar measures within the boundaries of the 2025 Fresno General Plan, to promote contiguous urban development and discourage premature conversion of agricultural land.
×	Department of Public Utilities	Ongoing	<b>D-13.</b> The City will conform to the requirements of Waste Discharge Requirements Order 5-01-254, including groundwater monitoring and subsequent Best Practical Treatment and Control (BPTC) assessment and findings.

## Page 11

Project/EA No. C-10-109

## **MEIR Mitigation Monitoring Checklist**

Date: July 2, 2010

•
Restricting the intensity of residential uses adjacent to agricultural lands.  Informing residents about possible exposure to agricultural chemicals.

×		Dept. of Public Utilities	Ongoing	<b>F-2.</b> The City shall continue the development and use of citywide sewer flow monitoring and computerized flow modeling to ensure the availability of sewer collection system capacity to serve planned urban development.
	×	Dept. of Public Utilities and Planning and Development Department	Ongoing	F-1. The City shall ensure the provision for adequate trunk sewer and collector main capacities to serve existing and planned urban and economic development, including existing developed uses not presently connected to the public sewer system, consistent with the Wastewater Master Plan. Where appropriate, the City will coordinate with the City of Clovis and other agencies to ensure that planning and construction of facilities address regional needs in a comprehensive manner.

## Page 12

A - Incorporated into ProjectB - Mitigated

C - Mitigation in ProcessD - Responsible Agency Contacted

Project/EA No. C-10-109

## **MEIR Mitigation Monitoring Checklist**

Date: July 2, 2010

Ongoing Ongoing	Dept. of Public Utilities  Dept. of Public Utilities	×
Ongoing	Dept. of Public Utilities	

Page 13

**F-4.** The City shall ensure that adequate trunk sewer capacity exists or can be provided to serve proposed development prior to the approval of rezoning, special permits, tract maps and parcel maps, so that the capacities of existing facilities

Ongoing/prior to approval of land use entitlement

Planning and Utilities and

Dept. of Public

×

×

Development

Department

are not exceeded.

B - Mitigated A - Incorporated into Project

C - Mitigation in ProcessD - Responsible Agency Contacted

Project/EA No. C-10-109

## **MEIR Mitigation Monitoring Checklist**

Date: July 2, 2010

MITIGATION MEASURE	WHEN	COMPLIANCE VERIFIED BY	Α	8	C	D	
<b>F-5.</b> The City shall provide adequate solid waste facilities and services for the collection, transfer, recycling, and disposal of refuse for existing and planned development within the City's jurisdiction. Site specific environmental evaluation shall precede the construction of these facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing/prior to construction	Dept. of Public Utilities	×				

×	Parks and Recreation Dept.; Planning and Development Dept.	Ongoing/prior to construction	H-1. Site specific environmental evaluation shall precede the construction of new public parks. Results of this evaluation shall be incorporated into the park design construction to reduce the environmental impacts.
×	Fire Dept/Police Dept/ Planning and Development Dept.	Ongoing/prior to construction	G-1. Site specific environmental evaluation shall precede the construction of new police and fire protection facilities. Results of this evaluation shall be incorporated construction into each project to reduce the identified environmental impacts.

			approval.
			appropriate) that adequate mitigation measures are incorporated into the project's
			Department of Fish and Game (and the U.S. Fish and Wildlife Service, as
	Dept.	use entitlement	restoration programs) may be approved only with the consent of the California   use entitlement
	Development -	approval of land	and vegetative species (or may have impacts on wildlife, fish and vegetation   approval of land
 	Planning and	Ongoing/prior to	1-1. Projects that could adversely affect rare, threatened or endangered wildlife   Ongoing/prior to

## Page 14

A - Incorporated into ProjectB - Mitigated

C - Mitigation in ProcessD - Responsible Agency Contacted

Project/EA No. C-10-109

## **MEIR Mitigation Monitoring Checklist**

Date: July 2, 2010

MITIGATION MEASURE	WHEN	COMPLIANCE VERIFIED BY	Α	В	С	D	771
1-2. Where feasible, development shall avoid disturbance in wetland areas, including vernal pools and riparian communities along rivers and streams. Avoidance of these areas shall including siting structures at least 100 feet from the outermost edge of the wetland. If complete avoidance is not possible, the disturbance to the wetland shall be minimized to the maximum extent possible, with restoration of the disturbed area provided. New vegetation shall consist of native species similar to those removed.	Ongoing/prior to approval of land use entitlement	Planning and Development Dept.					

I-4. Existi	habitat at shall be su at a ratio sacreage o Departmen one acre c
<b>1-4.</b> Existing and mature riparian vegetation shall be preserved to the extent Ongoing/prior t feasible, except when trees are diseased or otherwise constitute a hazard to approval of lan	1-3. Where wetlands or other sensitive habitats cannot be avoided, replacement habitat at a nearby off-site location shall be provided. The replacement habitat shall be substantially equivalent in nature to the habitat lost and shall be provided at a ratio suitable to assure that, at a minimum, there is no net less of habitat acreage or value. Typically, the U.S. Fish and Wildlife Service and California Department of Fish and Game require a ratio of three replacement acres for every one acre of high quality riparian or wetland habitat lost.
Ongoing/prior to approval of land	Ongoing/prior to approval of land use entitlement and during construction
Planning and Development	Planning and Development Dept.
×	
	×

	Planning and Development Dept.	Ongoing/prior to approval of land use entitlement and during construction	I-5. Within the identified riparian corridors, environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values and only use consistent with these values shall be allowed (e.g., nature education and research, fishing and habitat enhancement and protection).
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persons or property. During construction, all activities and storage of equipment use entitlement shall occur outside of the drip lines of any trees to be preserved.

construction

Dept.

## Page 15

A - Incorporated into ProjectB - Mitigated

C - Mitigation in ProcessD - Responsible Agency Contacted

Project/EA No. C-10-109

## **MEIR Mitigation Monitoring Checklist**

Date: July 2, 2010

NOI	IGATION MEASURE WHEN COMPLIAN IMPLEMENTED VERIFIED	TION MEASURE WHEN COMPLIAN IMPLEMENTED VERIFIED	TION MEASURE WHEN COMPLIAN IMPLEMENTED VERIFIED	TION MEASURE WHEN COMPLIAN IMPLEMENTED VERIFIED
COMPLIAN	COMPLIAN	COMPLIAN	COMPLIAN	O VERIFIED BY A B C D
VERIFIED	VERIFIED	VERIFIED	VERIFIED	
MPLIAN	MPLIAN	MPLIAN	MPLIAN	MPLIANCE A B C D
RIFIED	RIFIED	RIFIED	RIFIED	
	A	A B	A B C	A B C D E

			e. Avoiding public disclosure of the location of these resources until or unless the site is adequately protected from vandalism or theft.
			d. Incorporating parks, green space or other open space into the project to leave these resources undisturbed and to provide a protective cover over them.
	***************************************		c. Capping or covering these resources with a protective layer of soil before building on the sites.
			b. Setting aside sites containing these resources by deeding them into permanent conservation easements.
			a. Amending construction plans to avoid the resources.
	Dept.	use entitlement	demonstrated that the project will cause damage to these resources, reasonable efforts shall be made to permit any or all of the resource to be scientifically removed, or it shall be preserved in situ (left in an undisturbed state). In situ preservation may include the following options, or equivalent measures:
×	Planning and Development	Ongoing/prior to approval of land	J-1. If the site of a proposed development or public works project is found to contain unique archaeological or paleontological resources, and it can be
	Planning and Development Dept.	Ongoing/prior to approval of land use entitlement and during construction	1-6. All areas within identified riparian corridors shall be maintained in a natural state or limited to recreation and open space uses. Recreation shall be limited to passive forms of recreation, with any facilities that are constructed required to be non-intrusive to wildlife or sensitive species.

## Page 16

Project/EA No. C-10-109

## **MEIR Mitigation Monitoring Checklist**

Date: July 2, 2010

MITIGATION MEASURE	WHEN	COMPLIANCE	Σ	<u>m</u>	0	ш	71	*1
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J-2. An archaeological assessment shall be conducted for the project if	Ongoing/prior to	Planning and	×					
environmental assessment for the project. The site shall be formally recorded,	use entitlement	Dept.						
the City on further site	application							SSV
investigation or site avoidance/ preservation measures.								\$3.50 \$3.50
J-3. If there are suspected human remains, the Fresno County Coroner shall be	Ongoing	Planning and	×					
possibly of Native American origin, the Native American Heritage Commission		Dept./ Historic						A.S.N.
shall be contacted immediately, and the California Archaeological Inventory's  Southern San Joaquin Valley Information Center shall be contacted to obtain a		Preservation Commission staff						
referral list of recognized archaeologists.					A			0.03000
					-	1	-	
J-4. Where maintenance, repair stabilization, rehabilitation, restoration,	Ongoing	Planning and	×					
conducted consistent with the Secretary of the Interior's Standards for the		Dept./ Historic						CV 40 Marko
Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating,  Restoring and Reconstructing Historic Buildings (Weeks and Grimmer 1995) the		Preservation Staff						n de Medi
project's impact on the historical resource shall generally be considered mitigated								Sept.
below a level of significance and thus not significant.								65.X33.88
<b>K-1.</b> The City shall adopt the land use noise compatibility standards presented in Figure VK-2 for general planning purposes	Ongoing	Planning and	×			×		
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Page 17

A - Incorporated into ProjectB - Mitigated

C - Mitigation in ProcessD - Responsible Agency Contacted

Project/EA No. C-10-109

**MEIR Mitigation Monitoring Checklist** 

Date: July 2, 2010

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	Α	ω	ဂ	D	m	П
K-2. Any required acoustical analysis shall be performed as required by Policy Ongoing/upon	Ongoing/upon	Planning and	×					
residential or other noise sensitive uses as defined by Policy H-1-a, to provide use entitlement	use entitlement	Dept.						
compliance with the performance standards identified by Policies H-1-a and application	application							es es
H-1-k (Note: all are policies of the 2025 Fresno General Plan.)								

×	Planning and	Ongoing/prior to	K-3. The City shall continue to enforce the California Administrative Code, Title Ongoing/prior to
			■ Building Designs. See Chapter V for more details.
			■ Barriers. See Chapter V for more details.
			■ Site Planning. See Chapter V for more details.
			may not be fully mitigated within the 70 dBA noise contour areas depicted on Figure VK-4.
		application	compliance with the performance standards identified by Policies H-1-a and application H-1-k. (Note: all are policies of the 2025 Fresno General Plan.)

24, Noise Insulation Standards. Title 24 requires that an acoustical analysis be performed for all new multi-family construction in areas where the exterior sound levels exceed 60 CNEL. The analysis shall ensure that the building design limits the interior noise environment to 45 CNEL or below.	building permit issuance	Dept.	
L-1. Any construction that occurs as a result of a project shall conform to current Ongoing	Ongoing	Planning and	×
and slope requirements. As appropriate, the City shall require a preliminary soils report prior to subdivision map review to ascertain site specific subsurface information necessary to estimate foundation conditions. This report shall reference and make use of the most recent regional geologic maps available from the California Department of Conservation. Division of Mines and Geology.		Dept.	

## Page 18

A - Incorporated into ProjectB - Mitigated

C - Mitigation in ProcessD - Responsible Agency Contacted

Project/EA No. C-10-109

## **MEIR Mitigation Monitoring Checklist**

Date: July 2, 2010

		MITICATION MEASURE	
	IMPLEMENTED	WHEN	
	VERIFIED BY	COMPLIANCE	
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N-1. The City shall cooperate with appropriate energy providers to ensure the provision of adequate energy generated and distribution facilities, including environmental review as required.	Ongoing	Planning and Development Dept.	X
<b>Q-1.</b> The City shall establish and implement design guidelines applicable to all commercial and manufacturing zone districts. These design guidelines will require consideration of the appearance of non-residential buildings that are visible to pedestrians and vehicle drivers using major streets or are visible from proximate properties zoned or planned for residential use.	Ongoing	Planning and Development Dept.	×

### MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) REVIEW SUMMARY

Projected Population and Housing. The City of Fresno experienced a period of notable growth in the construction of single family residences over the first five-year period of the 2025 Fresno General Plan (2003 through 2007). However, this development has occurred within the parameters anticipated by the General Plan and the mitigation measures established by Master Environmental Impact Report (MEIR 10130/SCH 2001071097). The General Plan and its MEIR utilized a projected population growth rate for purposes of land use and resource planning. This projection anticipated an annual average population growth of approximately 1.9 percent over the 23-year planning period. Population estimates provided by the State of California Department of Finance (DOF) indicate a population growth of approximately 60, 000 people between 2002 and 2007 with a growth rate varying from 1.47 to 1.97 percent per year. These estimates are well within the growth projections of the General Plan and MEIR.

The City has processed 110 plan amendment applications since the adoption of the 2025 Fresno General Plan. These applications have resulted in changes of planned land use that affected approximately 1,000 acres, representing approximately one percent of the land area within the 2025 Fresno General Plan boundary. The impacts of these amendments are minimal and not significant in relation to the balance of the density and intensity of the land uses impacted by the plan amendment applications.

Based upon this, many of the assumptions relied upon for the MEIR to address other impacts, such as traffic, air quality, need for public utilities, services and facilities and water supplies are still valid to the extent that these assumptions relied upon projected population growth during the General Plan planning period. For this reason and the others provided below, the Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known pursuant to CEQA Guideline Section 15179(b)(1) and the MEIR may still be relied upon.

Transportation and Circulation. Subsequent to the certification of the MEIR the City of Fresno has required the preparation of approximately 200 site specific traffic impact studies and had required the provision of street, intersection signalization and transportation improvements in accordance with the adopted mitigation measures of the MEIR. The City's Traffic Engineer reports that through review of these approximately 200 traffic impact studies, the City has not seen traffic counts substantially different than those predicted by the MEIR. Concurrently with these efforts, the City adopted a new program for traffic signal and major street impact fees to pay for planned improvements throughout Fresno (not just in new growth areas, as has been the case with the previous impact fee program). These fees will more comprehensively provide for meeting transportation infrastructure needs and will expedite reimbursement for developments, which construct improvements that exceed the project's proportionate share of the corresponding traffic or transportation capacity needs.

In addition to the local street system, the City has entered into an agreement with the California Department of Transportation to collect impact fees for state highway facilities which may be impacted by new development projects. The City participates in the Fresno County Transportation Authority, which recently was successful in obtaining voter re-authorization of a half-cent sales tax to be dedicated to a wide range of transportation facilities and programs

(including mass transit). The City is also an active participant in ongoing regional transportation planning efforts, such as a freeway deficiency study, a corridor study for one or more additional San Joaquin River crossings, and the State's "Blueprint for the Valley" process. All these studies were commenced after the MEIR was certified, but none of them is yet completed. Therefore, it cannot be concluded that Fresno's environmental setting or the MEIR analysis of traffic and circulation have materially changed since November of 2002.

Therefore, Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known based upon traffic impacts pursuant to CEQA Guideline Section 15179(b)(1).

<u>Air Quality and Global Climate Change</u> Staff has worked closely with the regional San Joaquin Valley Air Pollution Control District (SJVAPCD) since the November 2002 certification of the 2025 Fresno General Plan Master Environmental Impact Report (MEIR). Potential air quality impacts have been analyzed for every environmental assessment initial study done for City development projects. Projects are required to comply with SJVAPCD rules and regulations via conditions of approval and mitigation measures formulated in the MEIR.

Overall, revisitation of these issues leads to the conclusion that, while there have been changes in air quality laws, planning requirements, and rules and regulations since certification of the MEIR, the actual environmental setting has not evidenced degradation of air quality. (Because air quality and global climate change are matters of some public controversy, additional documentation has been supplied on this issue; please refer to the appended full analysis with supporting data.)

In conjunction with SJVAPCD attainment plans and attendant rules and regulations that were adopted prior to the certification of the MEIR, policies in the 2025 Fresno General Plan and MEIR mitigation measures aimed at improving air quality appear to be working. Since 2002, data show that pollutant levels have been steadily decreasing for ozone/oxidants and for particulate matter (10 microns and 2 microns in size). Recent adoption of new air quality attainment plans by SJVAPCD, calling for broader and more stringent rules and regulations to achieve compliance with national and state standards, is expected to accelerate progress toward attainment of clean air act standards.

Analysis of global climate change analysis was not part of the MEIR in 2002, due to lack of scientific consensus on the matter and a lack of analytical tools. However, under the MEIR and General Plan mitigation measures and policies for reducing all forms of air pollution, levels of greenhouse gases have been reduced along with the other regulated air pollutants. At this point in time, detailed analysis and conclusions as to the significance of greenhouse gas emissions and strategies for mitigation are still not feasible, because the legislatively-mandated greenhouse gas inventory benchmarking and the environmental analysis policy formulation tasks of the California Environmental Protection Agency Air Resources Board and the Governor's Office of Planning and research are not completed. The information available does not support any conclusion that Conditional Use Permit Application No. C-10-109 or other City projects would have a significantly adverse impact on global climate change. Similarly, there is insufficient information to conclude that global climate change would have a significantly adverse impact upon the City of Fresno or specific development projects.

Staff is not aware of any particular circumstance or information that would make impacts to air quality a reasonably foreseeable impact or more severe impact from that identified in the MEIR. Therefore, Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known based upon air quality impacts pursuant to CEQA Guideline Section 15179(b)(1).

Water Supply, Quality and Hydrology. The City of Fresno has initiated, continued and completed numerous projects addressing general plan and MEIR provisions relating maintaining an adequate supply of safe drinking water to serve present and future projected needs. A water meter retrofit program to meter service to all consumers by the end of the year 2012 is underway, in compliance with State law that predated the MEIR and with new regulations affecting the U.S. Bureau of Reclamation Central Valley Project. (While the federal regulation has trumped a voter-approved City charter amendment that specifically prohibited using meters for residential development, the City's plans and policies have always contained measures calling for water conservation and for seeking ways to reduce average consumption of households. Metering is recognized as the best implementation measure for this, and does not constitute a change in the City's environmental setting or the analysis and mitigation in the 2025 Fresno General Plan MEIR.) After certification of the MEIR, the City commenced operation of its northeast area surface water treatment facility; initiated and began construction of additional groundwater wells with granular activated carbon filtration systems as necessary to remediate groundwater contamination that was discussed in the MEIR and its mitigation measures; provided for additional groundwater recharge areas; and expanded its network of water transmission main pipeline improvements allowing for improved distribution of water supply.

As called for in 2025 General Plan policies and MEIR mitigation measures, the City has implemented several programs for preventing water pollution: In conjunction with Fresno Metropolitan Flood Control District and the Regional Water Quality Control Board (RWQCB) City inspectors assist in enforcing the National Pollutant Discharge Elimination System Stormwater Pollution Prevention regulations, The Planning and Development Department also consults with RWQCB on specific development projects which may require on-site wastewater treatment, and provides project-specific conditions and even supplemental environmental analysis for such projects, with specific mitigation measures. The City's Department of Public Utilities has enhanced its industrial pretreatment permitting program for industrial wastewater generators who discharge to the Fresno-Clovis Wastewater Treatment and Reclamation Facility.

Staff is not aware of any particular circumstance or information that would make impacts to water supply, quality and hydrology a reasonably foreseeable impact or more severe impact from that identified in the MEIR. The Director of Public Utilities finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known based upon traffic impacts pursuant to CEQA Guideline Section 15179(b)(1).

Agricultural Resources. The implementation of applicable policies since adoption of the 2025 Fresno General Plan has encouraged the development of urban uses in a more systematic pattern that avoids discontinuity and the creation of vacant by-passed properties. These efforts, together with the requirement to record "right-to-farm" covenants, facilitate the continuation of existing agricultural uses within the city's planned urban growth boundary during the interim period preceding orderly development of the property as anticipated by the General Plan. Staff is not aware of any particular circumstance or information that would make impacts from loss of agricultural resources a reasonably foreseeable impact or more severe impact from that

identified in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to loss of agricultural resources pursuant to CEQA Guideline Section 15179(b)(1).

Demand for Utilities and Service Systems. The City of Fresno has continued to provide for utilities and service systems commensurate with the demands of increased population and employment within its service area, implementing policies of the 2025 Fresno General Plan and conforming to MEIR mitigation measures. Programmatic measures have been continued, expanded or initiated to increase the efficiencies of providing services in a manner that will reduce potential impacts upon the natural and human environment. These improvements have included bringing the City's first surface water treatment plant on-line to distribute treated surface water, thereby preventing a worsening of groundwater overdraft in northeast Fresno; converting a substantial portion of the City's service vehicle fleet to alternative fuels; and expanding recycling and conservation measures (including contracting with a major material sorting and recycling facility and a green waste processor to comply with AB 939 solid waste reduction mandates) to more judiciously use resources and minimize adverse impacts the environment. Adoption of City-wide police and fire facility development impact fees and a contract to consolidate fire service with an adjacent fire prevention district have been accomplished to assure the provision of adequate firefighting capacity to serve a broader geographic extend of urban development and more intensive and mixed-use development throughout the metropolitan area.

Because these changes were anticipated in, or provided for by, the 2025 Fresno General Plan and its MEIR mitigation measures, they do not constitute a significant or adverse alteration of Fresno's environmental setting. Staff is not aware of any particular circumstance or information that would make impacts from increased demand for utilities and service systems and public facilities a reasonably foreseeable impact or more severe impact from that identified in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to increased demand for utilities, service systems, and public facilities pursuant to CEQA Guideline Section 15179(b)(1).

<u>Demand for Recreational Facilities</u>. The City of Fresno has adopted and City-wide parks facility and Quimby Act fee which provides for the acquisition of new open space and recreation facilities as well as improvements to existing facilities and programs to provide a broader range of recreation opportunities. Staff is not aware of any particular circumstance or information that would make impacts from increased demand for recreational facilities a reasonably foreseeable impact or more severe impact from that identified in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to increased demand for utilities, service systems, and public facilities pursuant to CEQA Guideline Section 15179(b)(1).

Biological Resources. The City continues to evaluate all development proposals for potential impacts upon natural habitats and associated species dependent upon these habitats. The City supports continuing efforts to acquire the most prominent habitats where appropriate, such as portions of the San Joaquin River environs. When development or public works projects have been proposed in this area, they have been subject to site-specific evaluation through supplemental environmental analyses, and appropriate mitigation measures and conditions

applied as derived from consultation with the U.S. Fish and Wildlife Service and the California Department of Fish and Game. The City has imposed MEIR mitigation measures related to Biological Resources on projects that identified potential impacts to biological resources. Staff finds that this has adequately addressed any potential impact to biological resources. Staff is not aware of any particular circumstance or information that would make impacts from loss of biological resources a reasonably foreseeable impact or more severe impact from that identified in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to loss of biological resources pursuant to CEQA Guideline Section 15179(b)(1).

<u>Potential Disturbance of Cultural Resources</u>. The City of Fresno has implemented numerous efforts to identify historic and cultural resources, and provide thorough consideration as to their value and contributions to understanding or historic and cultural heritage.

Additionally, staff follows the MEIR mitigation measures for potential cultural resources. Staff is not aware of any particular circumstance or information that would make impacts to cultural resources a reasonably foreseeable impact that was not identified in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to loss of cultural resources pursuant to CEQA Guideline Section 15179(b)(1).

Within the last five years, the City has lost two lawsuits (Valley Advocates v. COF and Heritage Fresno v. RDA, City of Fresno) related to historical resources that related to six particular buildings at two different particular sites. The CEQA projects at issue were reviewed under independent CEQA documents, not under the MEIR as subsequent projects (*i.e.*, one under a separate EIR and one under a categorical exemption). These projects are site specific and are not reasonably expected to create additional impacts to cultural resources that would affect a finding under Section 15179. These particular projects may be properly assessed under the MEIR focused EIR procedures or mitigated negative declaration procedures under Section 15178 and not affect the overall MEIR findings.

Generation of Noise. The City of Fresno continues to implement mitigation measures and applicable plan policies to reduce the level of noise to which sensitive noise receptors are exposed. These efforts include identification of high noise exposure areas, limiting the development of new noise sensitive uses within these identified areas and conducting noise exposure studies and requiring implementation of appropriate design measures to reduce noise exposure. Staff finds that these efforts have adequately addressed any potential impacts that may have arisen related to noise and is not aware of any facts or circumstance that would make noise impacts have a more severe impact than that identified in the MEIR. Additionally, staff is not aware of any information or data that was not known at the time that the MEIR was certified that would be able to mitigate noise impacts beyond that identified and contemplated by the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to noise impacts pursuant to CEQA Guideline Section 15179(b)(1).

<u>Geology and Soils</u>. The City of Fresno has a predominantly flat terrain with few geologic or soil quality constraints. The City continues to apply applicable local and state construction codes

and standards and continues to adopt new standards as appropriate to insure the safety of residents and protection of property improvements.

Staff finds that these codes and standards have adequately addressed any potential impacts that may have arisen related to geology and soils and is not aware of any facts or circumstance that would make impacts related to geology and soils a reasonably foreseeable impact not addressed in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known regarding impacts related to geology and soils pursuant to CEQA Guideline Section 15179(b)(1).

Hazards and Potential Generation of Hazardous Materials The City continues to implement General Plan policies and assure compliance with MEIR mitigation measures as new development is planned and constructed, and as Code Enforcement activities are conducted, in order to prevent flood damage, structural failures due to soil and geologic instability, and wildfire losses. Development in the vicinity of airports has been reviewed and appropriately conditioned with regard to adopted and updated airport safety and noise policies. In consultation with Fresno County Environmental Health and the California Environmental Protection Agency Department of Toxic Substances Control, industrial and commercial facilities that use, handle, or store potentially hazardous materials are appropriately sited, conditioned, and inspected periodically by the Fresno Fire Department to prevent adverse occurrences. Homeland Security regulations have been taken into consideration when reviewing food production, processing and storage facilities, and the City has conducted and participated in multiple emergency response exercises to develop response plans that would protect life, health, and safety in the event of railroad accidents and other potential hazards.

Staff finds that these procedures, as outlined in the 2025 Fresno General Plan and its MEIR (as well as in related regulations and codes pertaining to hazards and hazardous materials) have adequately addressed potential impacts that may have arisen related to hazards. Staff is not aware of any facts or circumstance that would make impacts related to hazards and hazardous materials reasonably foreseeable impacts not addressed in the MEIR. Staff finds that the circumstances have not materially changed from the time the MEIR was certified and/or new information is not known related to impacts from hazards and hazardous materials pursuant to CEQA Guideline Section 15179(b)(1).

<u>Demand for Energy</u>. The City of Fresno has taken a number of steps to reduce energy consumption, both "in house" to set an example, and in the policy arena. The most notable "inhouse" actions are the following:

- Construction of solar panel generator facilities at the Municipal Services Center (MSC) and at Fresno-Yosemite International Airport. The MSC facility, completed\_ in 2004, generates 3.05 GWt of energy (equivalent to operation of 286 homes per year) and has resulted in reduction of 966 tons of CO<sub>2</sub> emissions (equivalent to 2,414,877 vehicular miles not driven).
- Replacement of a significant number of vehicles in the municipal fleet with clean air vehicles (please refer to the following table).

### **CURRENT CITY OF FRESNO "CLEAN AIR" FLEET**

50	CNG Transit Buses
4	CNG Trolleys
6	CNG Handi-Ride Buses
59	Retrofitted Diesel Powered Buses with REV (reduced emission vehicle) engines and diesel particulate traps
2	Hybrid (gasoline-electric) Transit Buses
2	Hybrid (diesel-electric) Transit Buses
12	Compressed Natural Gas (CNG) Pickups, Vans and Sedans
7	Flex Fuel Pickups, Vans and Sedans (CNG/Unleaded Fuel)
3	Compressed Natural Gas (CNG) Street Sweepers
52	Hybrid (gasoline-electric) Sedans and Trucks
34	Electric Vehicles
5	Propane Powered Vehicles
103	LNG Powered Refuse Trucks
59	Retrofitted Diesel Powered Refuse Trucks with combination lean NOx catalyst and diesel particulate filters
9	Retrofitted Diesel Powered Street Sweepers with combination lean NOx catalyst and diesel particulate filters
1	Plug-In CNG/Electric Hybrid Refuse Truck
56	Heavy duty diesel trucks and construction equipment equipped with exhaust after-treatment devices
9	Off Road Equipment with exhaust after-treatment devices
473	Total "Clean Air" Vehicles in the City of Fresno fleet

In the development standards policy arena, the City is taking numerous steps to increase residential densities and connectivity between residential and commercial land uses, thus facilitating more walking, biking and transit ridership (which has increased 22% in recent months) and saving energy:

- Amended the zoning code to allow development of mixed use projects in all commercial zone districts citywide, and in the C-M and M-1 zone districts within the Central Area.
- Amended the zoning code to allow density bonuses for affordable housing projects. Such bonuses permit density increases of approximately 30%.
- Amended zoning code to eliminate the "drop down" provision, which permitted development at one density range less than that shown on the adopted land use map.
- Amended the zoning code to increase heights in various residential and commercial zone districts and reduce the minimum lot size in the R-1 zone district from 6,000 to 5,000 square feet.
- Initiated the Activity Center Study, which is defining the potential Activity Centers located in Exhibit 6 of the 2025 Fresno General Plan and proposing design classifications and increased density ranges for these centers and corresponding transportation corridors.

Staff is not aware of any facts or circumstance that would make impacts related to energy demands reasonably foreseeable impacts that were not addressed in the MEIR. Staff finds that the circumstances have not materially changed from the time the MEIR was certified and/or new information is not known related to energy demand impacts pursuant to CEQA Guideline Section 15179(b)(1).

Mineral Resources. The City of Fresno has adopted plan policies and City ordinance provisions consistent with requirements of the State of California necessary to preserve access to areas of identified resources and for restoration of land after resource recovery (surface mining) activities. Staff finds that these policies and Fresno Municipal Code provisions have adequately addressed any potential impacts that may have arisen related to mineral resources and is not aware of any facts or circumstance that would make loss of mineral resources a reasonably foreseeable impact not addressed in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to loss of mineral resources pursuant to CEQA Guideline Section 15179(b)(1).

School Facilities. The City of Fresno continues to consult with affected school districts and participate in school site planning efforts to assure the identification of appropriate location alternatives for planned school facilities. Staff is not aware of any information from the school districts or otherwise to demonstrate that adequate school facilities are not being accommodated under the current General Plan and/or that the need for school facilities is expected to cause impacts not identified in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to need for school facilities pursuant to CEQA Guideline Section 15179(b)(1).

### **MEIR REVIEW SUMMARY**

Page 9

Potential Aesthetic Impacts. Design Guidelines were appended to the 2025 Fresno General Plan through the plan adoption process conducted concurrently with MEIR analysis. As noted previously, General Plan policies encourage and promote infill development, and the City of Fresno Planning and Development Department has implemented design guidelines for reviewing infill housing development proposals. The Department has prepared detailed design guidelines for the Tower District Specific Plan area and the Fulton-Lowell Specific Plan area, both of which contain enclaves of unique structures. The City has adopted policies promoting incorporation of public art within private development projects, which will contribute to a more appealing visual environment, benefitting users of the private property as well as the surrounding community. In addition, the City of Fresno and the City of Fresno Redevelopment Agency have funded public improvements which improve the general aesthetic. Staff is not aware of any situation or circumstances where there are reasonably foreseeable aesthetic impacts not identified and assessed in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related aesthetic impacts pursuant to CEQA Guideline Section 15179(b)(1).

Appendix: Status of MEIR Analysis With Regard to Air Quality and Climate Change

### **APPENDIX**

### STATUS OF MEIR ANALYSIS WITH REGARD TO AIR QUALITY AND CLIMATE CHANGE

### **EXECUTIVE SUMMARY**

Planning staff has worked closely with the regional San Joaquin Valley Air Pollution Control District (SJVAPCD) since the November 2002 certification of the 2025 Fresno General Plan Master Environmental Impact Report (MEIR). Potential air quality impacts have been analyzed for every environmental assessment initial study done for City development projects. Projects are required to comply with SJVAPCD rules and regulations via conditions of approval and mitigation measures formulated in the MEIR.

Overall, revisitation of these issues leads to the conclusion that, while there have been changes in air quality laws, planning requirements, and rules and regulations since certification of the MEIR, the actual environmental setting has not evidenced degradation of air quality. In conjunction with SJVAPCD attainment plans and attendant rules and regulations that were adopted prior to the certification of the MEIR, policies in the 2025 Fresno General Plan and MEIR mitigation measures aimed at improving air quality appear to be working. Since 2002, data show that pollutant levels have been steadily decreasing for ozone/oxidants and for particulate matter (10 microns and 2 microns in size). Recent adoption of new air quality attainment plans by SJVAPCD, calling for broader and more stringent rules and regulations to achieve compliance with national and state standards, is expected to accelerate progress toward attainment of clean air act standards.

Analysis of global climate change analysis was not part of the MEIR in 2002, due to lack of scientific consensus on the matter and a lack of analytical tools. However, under the MEIR and General Plan mitigation measures and policies for reducing all forms of air pollution, levels of greenhouse gases have been reduced along with the other regulated air pollutants. At this point in time, detailed analysis and conclusions as to the significance of greenhouse gas emissions and strategies for mitigation are still not feasible, because the legislatively-mandated greenhouse gas inventory benchmarking and the environmental analysis policy formulation tasks of the California Environmental Protection Agency Air Resources Board and the Governor's Office of Planning and research are not completed. The information available does not support any conclusion that Conditional Use Permit Application No. C-10-109 or other City projects would have a significantly adverse impact on global climate change. Similarly, there is insufficient information to conclude that global climate change would have a significantly adverse impact upon the City of Fresno or specific development projects.

### SUPPORTING DATA AND ANALYSIS

While there have been changes in air quality regulations since the November 2002 certification of the 2025 Fresno General Plan MEIR, the actual environmental setting has not evidenced degradation of air quality.

The adverse air quality impacts associated with the myriad of human activities potentiated by the long range general plan for the Fresno metropolitan area can be expected to remain significant and unavoidable, and cannot be completely mitigated through the General Plan or through project-level mitigation measures. In order to provide a suitable living environment within the metropolitan area, the General Plan and its MEIR included numerous air pollution reduction measures.

The 2025 Fresno General Plan and its MEIR gave emphasis to pursuing cleaner air as an over-arching goal. The urban form element of the General Plan was designed to foster efficient transportation and to support mass transit and subdivision design standards are being implemented to support pedestrian travel. Strong policy direction in the Public Facilities and Resource Conservation elements require that air pollution improvement be a primary consideration for all land development proposals, that development and public facility projects conform to the 2025 Fresno General Plan and its EIR mitigation measures, and that the City work conjunctively with other agencies toward the goal of improving air quality.

The MEIR mitigation checklist sketched out a series of actions for the City to pursue with regard to its own operations, and City departments are pursuing these objectives. The Fresno Area Express (FAX) bus fleet and the Department of Public Utilities solid waste collection truck fleet are being converted to cleaner fuels. Lighter-duty vehicle fleets are also incorporating alternative fuels and "hybrid" vehicles. Mass transit system improvements are supporting increased ridership. Construction of sidewalks, paseos, bicycle lanes and bike paths is being required for new development projects, and are being incorporated into already-built segments of City rights-of-way with financing from grants, gas tax, and other road construction revenues. Traffic signal synchronization is being implemented. The Planning and Development Department amended the Fresno Municipal Code to ban all types of residential woodburning appliances, thereby removing the most prominent source of particulate matter pollution from new construction.

Pursuant to a specific MEIR mitigation measure, all proposed development projects are evaluated with the "Urbemis" air quality impact model that evaluates potential generation of a range of air pollutants and pollutant precursors from project construction, project-related traffic, and from various area-wide non-point air pollution sources (e.g., combustion appliances, yard maintenance activities, etc.). The results of this "Urbemis" model evaluation are used to determine the significance of development projects air quality impacts as well as the basis for any project-specific air quality mitigation measures.

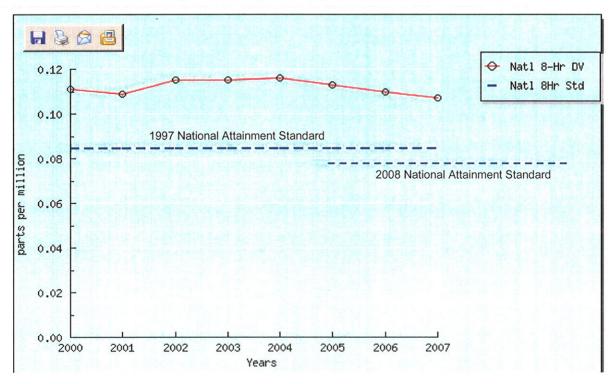
There are no new (i.e., unforeseen in the MEIR) reasonable mitigation measures which have become available since late 2002 that would assure the reduction of cumulative (city-wide) air quality impacts to a less than significant level at project buildout, even with full compliance with attainment plans and rules promulgated by the California Air Resources Board and the San Joaquin Valley Air Pollution Control District.

Through implementation of regional air quality attainment plans by the San Joaquin Valley Unified Air Pollution Control District (SJVAPCD), as supported by implementation of 2025 Fresno General Plan policies and MEIR mitigation measures, air pollution indices have shown improvement. Progress is being made toward attainment of federal and state ambient air quality standards.

Ozone/oxidant levels have shown gradual improvement, as depicted in the following graphs and charts from the California Air Resources Board (graphics with an aqua background) and from the San Joaquin Valley Air Pollution Control District (those with no background color):

### O Air Resources Board

### Ozone Trends Summary: San Joaquin Valley Air Basin

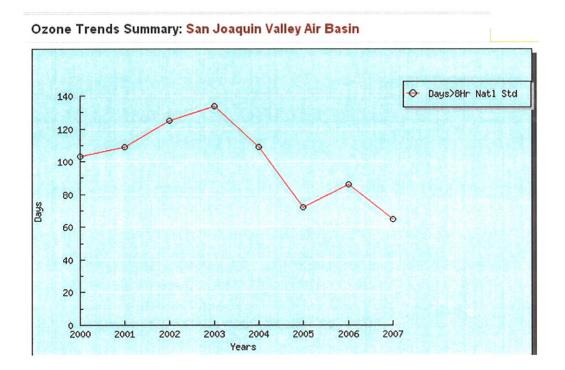


GRAPH NOTES: The "National 1997 8-Hour Ozone Design Value" is a three-year running average of the fourth-highest 8-hour ozone measurement averages in each of the three years (computed according to the method specified in Title 40, Code of Federal Regulations, Part 50, Appendix I).

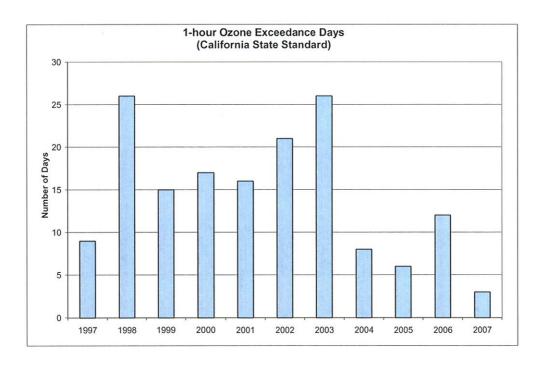
Under the 1997 standard, in effect through the end of 2007, "Attainment" would be achieved if the three-year average were less than, or equal to, 84 parts per billion (ppb), or 0.084 parts per million (ppm). In 2008, a new National 8-Hour Ozone Attainment standard went into effect: a three year average of 75 ppb (0.075 ppm). Data and attainment status for 2008 is expected to become available in 2009.

The California Clean Air Act has a different calculation method for its 8-hr oxidant [ozone] standard design value, and an attainment standard that is lower (0.070 ppm). The ozone improvement trend under the state Clean Air Act 8-hour ozone standard parallels the trend for the national 8-hour standard.

Correspondingly, the number of days per year in which the National 8-hour Ozone Standard has been exceeded have also decreased since the end of 2002:



In 1997, the Federal Clean Air Act repealed the former National 1-hour Ozone standard. However, the California Clean Air Act retains this air pollution parameter. The days per year in which the State of California 1-hour ozone standard has been exceeded have also shown a generally decreasing trend in the time since the 2025 Fresno General Plan MEIR was certified:

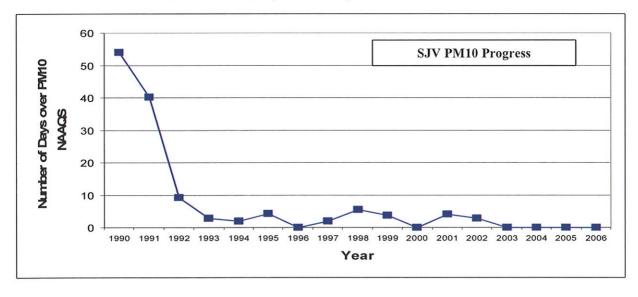


The current ozone attainment plan for the San Joaquin Valley Air Basin, in place when the MEIR for the 2025 Fresno General Plan was certified, is linked to a federal designation of "Serious Nonattainment." While ozone/oxidant air quality conditions are showing a trend toward improvement, the rate of progress toward full attainment is not sufficient to reach the national ambient air quality standards by the target date established by the attainment plan. Mobile sources (vehicle engines) are the primary source for ozone precursors, and the regulation of mobile sources occurs at the national and state levels and is beyond the direct regulatory reach of the regional air pollution control agency. As noted in the 2025 Fresno General Plan MEIR and reflected in the Statement of Overriding Considerations made when the MEIR was certified, potentially significant and unavoidable adverse air quality impacts are inherent in population growth and construction in the City of Fresno, given the Valley's climatology and the limitations on regulatory control of air pollutant precursors.

In 2004, the San Joaquin Valley Air Pollution Control District, in conjunction with the California Air Resources Board, approved a re-designation for the San Joaquin Valley Air Basin to "Extreme Nonattainment" status for ozone, approving a successor air quality attainment plan that projects San Joaquin Valley attainment of the national 8-hour ozone standard by year 2023. This designation and its accompanying attainment plan were submitted to the U.S. Environmental Protection Agency (USEPA) in November of 2004. To date, no formal action has been taken by USEPA to date on the proposed designation or the attainment plan; the Valley remains in "Severe Non- attainment" as of this writing.

The change from "Severe" to "Extreme" ozone Nonattainment would represent an extension of the deadline for attainment, but since the regional air basin would not have achieved attainment by the original deadline, this does not materially affect environmental conditions for the City of Fresno as they were analyzed in the MEIR for the 2025 Fresno General Plan. The proposed revised ozone attainment plan includes not only all the measures in the preceding ozone attainment plan, but additional measures for regulating a wider range of activities to attain ambient air quality standards.

The Valley's progress toward attaining national and state standards for PM-10 (particulate matter less than 10 microns in diameter) has been greater since certification of the MEIR:



As the preceding chart reveals, levels of PM-10 air pollution have decreased since 2002. When the MEIR was certified, the San Joaquin Valley Air Basin was designated in "Serious Nonattainment" for national standards. As of 2007, the number of days where standards were exceeded has decreased to the extent that the Valley has been deemed to be in Attainment. Under Federal Clean Air Act Section 107(d)(3), PM-10 attainment plans and associated rules and regulations remain in place to maintain this level of air quality. New and expanded regulations proposed to combat "Extreme" ozone pollution and PM-2.5 (discussed below) would be expected to provide even more improvement in PM-10 pollution situation.

The 2025 Fresno General Plan provided policy direction in support of "indirect source review" as a method for controlling mobile source pollution. Although vehicle engines and fuels are outside the purview of local and regional jurisdictions in California, approaching mobile source pollution indirectly, through regulation and mitigation of land uses which generate traffic, is an alternative approach.

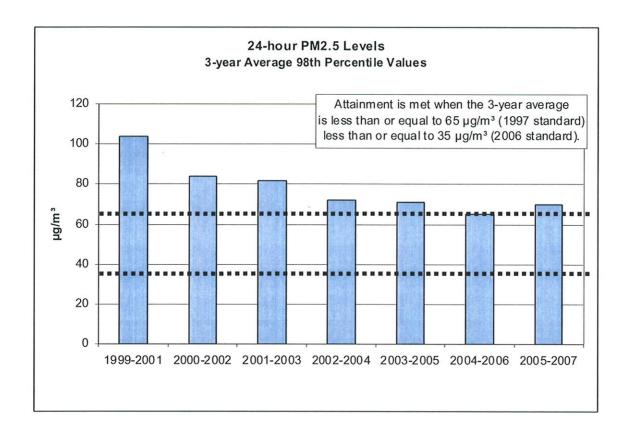
In March of 2006, the San Joaquin Valley Air Pollution Control District adopted Rule 9510, its Indirect Source Review Rule. Full implementation of this Rule has been delayed due to litigation (mitigation fees are being collected and retained in holding accounts), but projects are already being evaluated under Rule 9510 and are implementing many aspects of the Rule, such as clean air design (pedestrian and bike facilities; proximal siting of residential and commercial land uses; low-pollution construction equipment; dust control measures; cleaner-burning combustion appliances, etc.).

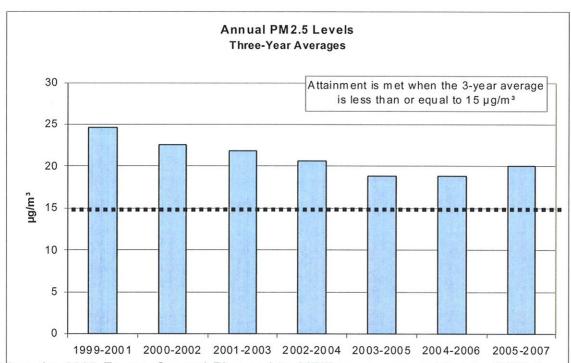
It is anticipated that full implementation (release of mitigation impact fees for various clean air projects throughout the San Joaquin Valley) and subsequent augmentation of the Indirect Source Review Rule will accelerate progress toward attainment of federal and state ozone standards, and will be an important component of the attainment plan for PM-2.5 (very fine particulate matter) and for greenhouse gas reductions to combat global climate change.

PM-2.5 is a newly-designated category of air pollutant, the component of PM-10 comprised of particles 2.5 microns in diameter or smaller. The 1997 Clean Air Act Amendments directed that this pollutant be brought under regulatory control, but federal and state standards/designations had not been finalized when the 2025 Fresno General Plan MEIR was drafted and certified. In the intervening time, the San Joaquin Valley Air Basin has been classified as being in "Nonattainment" for the 1997 federal PM-2.5 standard and for the State PM-2.5 standard.

An attainment demonstration plan for the federal 1997 PM-2.5 standard has been adopted by the SJVAPCD and approved by the California Air Resources Board, and forwarded to the EPA for approval (status as of mid-2008). The attainment plan would achieve compliance with the 1997 federal Clean Air Act PM-2.5 standard by year 2014, in conjunction with California Air Resources Board (and US EPA) action to improve diesel engine emissions. The San Joaquin Valley Air Basin has not yet been classified under the more stringent revised federal 2006 PM-2.5 standard; this classification is expected by 2009.

As with ozone and PM-10 pollution, levels of PM-2.5 have already been reduced by already-existing air quality improvement planning policies, mitigation measures, and regulations. The following charts depict historic PM-2.5 monitoring data for the regional air basin. Once the expected SJVAPCD attainment plan is implemented measures specific to PM-2.5 control, the rate of progress toward attainment of federal and state PM-2.5 standards will accelerate.





When the 2025 Fresno General Plan and its MEIR were approved in late 2002, the planning and environmental documents did not directly or separately analyze potential global warming

and climate change impacts. However, the general policy direction for consideration of air quality parameters in development project evaluations and for reducing those air pollutants which are already under regulation would operate to control these potential adverse impacts.

"Global warming" is the term coined to describe a widespread climate change characterized by a rising trend in the Earth's ambient average temperatures with concomitant disturbances in weather patterns and resulting alteration of oceanic and terrestrial environs and biota. When sunlight strikes the Earth's surface, some of it is reflected back into space as infrared radiation. When the net amount of solar energy reaching Earth's surface is about the same as the amount of energy radiated back into space, the average ambient temperature of the Earth's surface would remain more or less constant. Greenhouse gases potentially disturb this equilibrium by absorbing and retaining infrared energy, trapping heat in the atmosphere—the "greenhouse gas effect."

The predominant current opinion within the scientific community is that global warming is occurring, and that it is being caused and/or accelerated via generation of excess "greenhouse gases" [GHGs], that natural carbon cycle processes (such as photosynthesis) are unable to absorb sufficient quantities of GHG and cannot keep the level of these gases or their warming effect under control. It is believed that a combination of factors related to human activities, such as deforestation and an increased emission of GHG into the atmosphere from combustion and chemical emissions, is a primary cause of global climate change.

The predominant types of anthropogenic greenhouse gases (those caused by human activity), are described as follows. It should be noted that the starred GHGs are regulated by existing air quality policies and rules pursuant to their roles in ozone and particulate matter formation and/or as potential toxic air contaminants.

- carbon dioxide (CO<sub>2</sub>), largely generated by combustion activities such as coal and wood burning and fossil fuel use in vehicles but also a byproduct of respiration and volcanic activity;
- \*methane (CH<sub>4</sub>), known commonly as "natural gas," is present in geologic deposits and is also evolved by anaerobic decay processes and animal digestion. On a ton-for-ton basis, CH<sub>4</sub> exerts about 20 times the greenhouse gas effect of CO<sub>2</sub>;
- \*nitrous oxide (N<sub>2</sub>O), produced in large part by soil microbes and enhanced through application of fertilizers. N<sub>2</sub>O is also a byproduct of fossil fuel burning: atmospheric nitrogen, an inert gas that makes up a large proportion of the atmosphere, is oxidized when air is exposed to high-temperature combustion. N<sub>2</sub>O is used in some industrial processes, as a fuel for rocket and racing engines, as a propellant, and as an anesthetic. N<sub>2</sub>O is one component of "oxides of nitrogen" (NOX), long recognized as precursors of smog-causing atmospheric oxidants.
- \*chlorofluorocarbons (CFCs), synthetic chemicals developed in the late 1920s for use as improved refrigerants (e.g., "Freon™"). It was recognized over two decades ago that this class of chemicals exerted powerful and persistent greenhouse gas effects. In 1987, the Montreal Protocol halted production of CFCs.
- \*hydrofluorocarbons (HFCs), another class of synthetic refrigerants developed to replace CFCs;

- \*perfluorocarbons (PFCs), used in aluminum and semiconductor manufacturing, have an
  extremely stable molecular structure, with biological half-lives tens of thousands of years,
  leading to ongoing atmospheric accumulation of these GHGs.
- \*sulfur hexafluoride (SF<sub>6</sub>) is used for insulation in electric equipment, semiconductor manufacturing, magnesium refining and as a tracer gas for leak detection. Of any gas evaluated, SF<sub>6</sub> exerts the most powerful greenhouse gas effect, almost 24,000 times as powerful as that of CO<sub>2</sub> on a ton-for-ton basis.
- water vapor, the most predominant GHG, and a natural occurrence: approximately 85% of the water vapor in the atmosphere is created by evaporation from the oceans.

In an effort to address the perceived causes of global warming by reducing the amount of anthropogenic greenhouse gases generated in California, the state enacted the Global Warming Solutions Act of 2006 (Codified as Health & Safety Code Section 38501 *et seq.*). Key provisions include the following:

- Δ Codification of the state's goal by requiring that California's GHG emissions be reduced to 1990 "baseline" levels by 2020.
- Δ Set deadlines for establishing an enforcement mechanism to reduce GHG emissions:
  - By June 30, 2007, the California Air Resources Board ("CARB") was required to publish "discrete early action" GHG emission reduction measures. Discrete early actions are regulations to reduce greenhouse gas emissions to be adopted by the CARB and enforceable by January 1, 2010;
  - By January 1, 2008, CARB was required to identify what the state's GHG emissions were in 1990 (set the "baseline") and approve a statewide emissions limit for the year 2020 that is equivalent to 1990 levels. (These statewide baseline emissions have not yet been allocated to regions, counties, or smaller political jurisdictions.) By this same date, CARB was required to adopt regulations to require the reporting and verification of statewide greenhouse gas emissions.
  - By January 1, 2011, CARB must adopt emission limits and emission reduction measures to take effect by January 1, 2012.

As support for this legislation, the Act contains factual statements regarding the potential significant impacts on California's physical environment that could be caused by global warming. These include, an increase in the intensity and duration of heat waves, the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snow pack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

On August 24, 2007, California also enacted legislation (Public Resources Code §§ 21083.05 and 21097) requiring the state Resources Agency to adopt guidelines for addressing climate change in environmental analysis pursuant to the California Environmental Quality Act. By July 1, 2009, the Governor's Office of Planning and Research (OPR) is required to prepare guidelines for the mitigation of greenhouse gas emissions, and transmit those draft regulations to the Resources Agency. The Resources Agency must then certify and adopt the guidelines by January 1, 2010.

The recently-released update of the Urbemis computer model (used by the City of Fresno Planning and Development Department for environmental assessments, pursuant to a specific MEIR mitigation measure) does provide data on the amounts of CO<sub>2</sub> and oxides of nitrogen (NOX) potentially generated by development projects. However, at this point in time, neither CARB nor the SJVAPCD has determined what the 1997 baseline or current "inventory" of GHGs is for the entire state nor for any region or jurisdiction within the state. No agency has adopted GHG emission limits and emission reduction measures, and because CEQA guidelines have not been established for the evaluation and mitigation of greenhouse gas emissions (there is an absence of regulatory guidance). Therefore, the City is unable to productively interpret the results of the Urbemis model with regard to GHGs, and there is currently no way to determine the significance of a project's potential impact upon global warming.

The 2025 Fresno General Plan provides an integrated combination of residential, commercial, industrial, and public facility uses allowing for proximate location of living, work, educational, recreational, and shopping activities within Fresno metropolitan area. This combination of uses has been identified as a potential mitigation measure to address global warming impacts in a document published by the California Attorney General's Office entitled, *The California Environmental Quality Act Mitigation of Global Warming Impacts* (updated January 7, 2008). Specifically, this document describes this mitigation measure as follows, "Incorporate mixeduse, infill and higher density development to reduce vehicle trips, promote alternatives to individual vehicle travel, and promote efficient delivery of services and goods"—echoing objectives and policies of the 2025 Fresno General Plan adopted in late 2002.

The General Plan contains a mix of land uses would be expected to generate fewer vehicle miles traveled per capita, leading to reduced emissions of greenhouse gases from engine emissions. It provides for overall denser development with high-intensity enclaves, associated with increased public transit use. The plan fosters mixed use and infill development (being implemented by mixed-use zoning ordinances added to the Fresno Municipal Code, as directed by 2025 Fresno General Plan) policies. The urban form element distributes neighborhood-level and larger commercial development, public facilities such as schools, and recreational sites throughout the metropolitan area, reducing vehicle trips.

Any manufacturing activities that would generate  $SF_6$ , HFCs, or PFCs would be subject to subsequent environmental review at the project-specific level, as would any uses which would generate methane on site. The City of Fresno has adopted an ordinance prohibiting installation of any woodburning fireplaces or woodburning appliances in new homes, which would reduce  $CO_2$  and  $N_2O$  from wood combustion.

Through updates in the California Building Code and statewide regulation of appliance standards, City development projects conform to state-of-the art energy-efficient building, lighting, and appliance standards as advocated in the California Environmental Protection Agency's publication Climate Action Team / Proposed Early Actions to Mitigate Climate Change in California (April 2007) and in CARB's Proposed Early Actions to Mitigate Climate Change in California (April 2007). The City has further incentivized "green" building projects by providing subsidies for solar photovoltaic equipment for single-family residential construction, by reducing development standards (including reductions in required parking spaces, which further reduces air pollutant and GHG emissions), and by improving its landscape and shading standards (a topic included in the Design Guidelines adopted with the 2025 Fresno General Plan).

### **MEIR REVIEW SUMMARY**

Page 20

Updated engine and tire efficiency standards would apply to residents' vehicles, as well as the statewide initiatives applicable to air conditioning and refrigeration equipment, regional transportation improvements, power generation and use of solar energy, water supply and water conservation, landfill methane capture, changes in cement manufacturing processes, manure management (methane digester protocols), recycling program enhancements, and "carbon capture" (also known as "carbon sequestration," technologies for capturing and converting  $CO_2$ , removing it from the atmosphere).

Due to the lack of data or regulatory guidance that would indicate the 2025 Fresno General Plan had a significant adverse impact upon global climate change, the relatively small size of the Fresno Metropolitan Area in conjunction with the worldwide scope of GHG emissions, and the emphasis in the 2025 Fresno General Plan upon integrated urban design and air pollution control measures, it could not be concluded in 2002 nor at present that the 2025 Fresno General Plan would have a significant adverse impact on global climate change.

As to potential impacts of global warming upon the 2025 Fresno General Plan: the city is located in the Central Valley, in an urbanized area on flat terrain distant from the Pacific coast and from rivers and streams. It is outside of identified flood prone areas. Based on its location we conclude that Fresno is not likely to be significantly affected by the potential impacts of global climate change such as increased sea level and river/stream channel flooding; nor is it subject to wildfire hazards. While Fresno does contain areas with natural habitat (the San Joaquin Bluffs and Riverbottom), a change in these areas' biota induced by global warming would not leave them bereft of all habitat value—it would simply mean a change in the species which would be encountered in these areas. The 2025 Fresno General Plan preserves this habitat open space area for multiple objectives (protection from soil instability and flood inundation; conservation of designated high-quality mineral resources), so any natural resource species changes in those areas would not constitute a significant adverse impact to the city or a loss of resource area.

Fresno has historically had high ambient summer temperatures and an historic heat mortality level that is among the highest in the state (5 heat-related deaths annually per 100,000 population). Due to the prevalence of air conditioning in dwellings and commercial buildings, an increase in extreme heat days from global warming is not expected by the California Air Resources Board Research Division to significantly increase heat-related deaths in Fresno, as opposed to possible effects in cooler portions of the state such as Sacramento or Los Angeles areas (reference: *Projections of Public Health Impacts of Climate Change in California: Scenario Analysis*, by Dr. Deborah Dreschler, Air Resources Board, April 9, 2008). Increased summertime temperatures which may be caused by global warming will be mitigated by the City's landscaping standards to provide shade trees, by statewide energy efficiency standards which insulate dwellings from heat and cold, and by urban design standards which require east-west orientation of streets and buildings to facilitate solar gain. Fresno has a heat emergency response plan and provides cooling centers and free transportation to persons who do not have access to air conditioning.

Secondary health effects of global warming could include increases in respiratory and cardiac illnesses attributable to poor air quality. The San Joaquin Valley Air Pollution Control District provides daily advisories and warnings in times of high ozone levels to help senior citizens and other sensitive populations avoid exposure. The SJVAPCD has committed to attainment of fine particulate matter (PM2.5) standards by Year 2014 and to attainment of oxidant/ozone standards by Year 2023, and would adopt additional Rules and emission controls as necessary

to decrease emissions inventories by those target dates. There is insufficient information to indicate that global climate change would prevent attainment of air quality parameters affecting health.

Pursuant to 2025 Fresno General Plan policy and MEIR mitigation measures, the City's Department of Public Utilities and Fire Department are required to affirm that adequate water service can be provided to all development projects for potable and fire suppression uses. The City derives much of its water supply from groundwater, using its surface water entitlements from the Kings and San Joaquin Rivers primarily to recharge the aquifer. A high percentage of Fresno's annual precipitation is captured and percolated in ponding basins operated by Fresno Metropolitan Flood Control District. If global climate change leads to a longer rainy season and/or more storm events throughout the year, groundwater supplies could be improved by additional percolation.

The City of Fresno currently treats and distributes only some 20% of its 150,000 acre-foot/year (AFY) surface water entitlement for the municipal water system, directing another 50,000 to 70.000 AFY to recharge activities via ponding basins. Presently, the City is unable to recharge the full balance of its annual entitlement in average and wet years, and releases any unused surface water supplies to area irrigation districts for agricultural use in the metropolitan area, (which further augments groundwater recharge through percolation of irrigated water).

Future surface water plant construction projects envisioned by the 2025 Fresno General Plan would account for less than 120,000 acre-feet per year of the surface supply. The General Plan direction for future Metropolitan Water Resource Management Plans includes exploring the use of recycled treated wastewater for non-potable uses such as landscape irrigation, which would further effectively extending the City's water supply..

If the global climate change were to cause a serious and persistent decrease in Sierra snowpack, some of Fresno's water supply could be affected. However, historic records show that the very long-term prevailing climatic pattern for Central California has included droughts of long (often, multi-year) duration, interspersed with years of excess precipitation. Decades before global climate change was considered as a threat to California's water system, state and local agencies recognized a need to augment water storage capacity for excess precipitation occurring in wet years, to carry the state through the intervening dry years.

The potential for episodic and long-term drought is considered in the city's Metropolitan Water Resource Plan and in its the Urban Water Management Plan Drought Contingency component, to accommodate reductions in available water supplies. In times of extended severe regional or statewide drought, a reprioritization of water deliveries and reallocation for critical urban supplies vs. agricultural use is possible, but it is too speculative at this time to determine what the statewide reprioritization response elements would be (the various responses of statewide and regional water agencies to these situations are not fully formulated and cannot be predicted with certainty). Because the true long term consequences of climate change on California's and Fresno's water system cannot be predicted, and, it is too speculative at this time to conclude that there could be a significant adverse impact on water supply for the 2025 Fresno General Plan due to global climate change.

As noted above, it is theorized that global warming could lead to more energy in the atmosphere and to increased intensity or frequency of storm events. Fresno's long-term weather pattern is that rainfall occurs during episodic and fairly high-intensity events. The Fresno Metropolitan

### **MEIR REVIEW SUMMARY**

Page 22

Flood Control District (FMFCD) drainage and flood control Master Plan, which sets policies for drainage infrastructure and grading in the entire Fresno-Clovis area, is already predicated on this type of weather pattern. FMFCD sizes its facilities (which development potentiated by the 2025 Fresno General Plan will help to complete) for "two-year storm events," storms of an intensity expected in approximately 50 percent of average years; however, the urban drainage system design has additional capacity built into the street system so that excess runoff from more intense precipitation events is directed to the street system. The City's Flood Plan Ordinance and grading standards require that finished floor heights be above the crowns of streets and above any elevated ditchbanks of irrigation canals. FMFCD project conditions also preserve "breakover" historic surface drainage routes for runoff from major storms. Ultimately, drain inlets and FMFCD basin dewatering pumps direct severe storm runoff into the network of Fresno Irrigation District canals and pipelines still extant in the metropolitan area, with outfalls beyond the western edge of the metropolitan area.

Scientific information, analytical tools, and standards for environmental significance of global warming and green house gases were not available to the Planning and Development Department in 2002 when the 2025 Fresno General Plan and its MEIR were formulated and approved—and at this point, there is still insufficient data available to draw any conclusions as to the potential impacts, or significance of impacts, related to global climate change for the 2025 Fresno General Plan. Similarly, there is insufficient information to conclude that global warming may have a potentially significant adverse impact upon the 2025 Fresno General Plan. In a situation when it would be highly speculative to estimate impacts or to make conclusions as to the degree of adversity and significance of those impacts, the California Environmental Quality Act allows agencies to terminate the analysis. In that regard, there is no material change in status from the degree of environmental review on this topic contained in the 2025 Fresno General Plan MEIR.